



## **A9 Dualling Programme**

### **Strategic Environmental Assessment (SEA)**

#### **Post Adoption SEA Statement**

#### **Appendix A – Consultation Response Tables (Responses to the Environmental Report Addendum)**

**September 2014**





**A9 Dualling Programme SEA Statement – Consultation Responses to the Environmental Report Addendum**

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback  | SEA Comment   |
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| <b>SNH</b>   |   |
| <p>Thank you for forwarding the above Environmental Report Addendum (ERA), sent to the Scottish Government SEA Gateway on 19 March 2014.</p> <p>In accordance with Section 15(2) of the Environmental Assessment (Scotland) Act 2005, Scottish Natural Heritage has considered the report in its role as a Consultation Authority under the above Act.</p> <p>Our key comments are summarised in this letter, with detailed comments provided in the appended Annex. Our letter is divided into</p> <p>i) the adequacy of the Environmental Report (ER) and</p> <p>ii) applying the SEA findings at the later stages of the Programme.</p> | <p>Noted with thanks.</p>   |
| <p><b>Adequacy of the ER</b></p> <p>We welcome the production of this Addendum and appreciate how much our previous comments have been taken account of by TS.</p> <p>Overall, we are content that the SEA provides an adequate assessment of the significant environmental effects of the dualling programme, subject to our specific comments below.</p> <p>These include recommendations for specific commitments and additional information to be included in the Post Adoption Statement (PAS) and A9 Design Guide, and work which is needed at DMRB2 (Design Manual for Roads and Bridges Stage 2).</p>                              | <p>Noted with thanks.</p> <p>Specific comments are addressed below and cross-referenced with the relevant section of the SEA Statement.</p>   |
| <p><b>Strategic Studies:</b></p> <p>We welcome the provision of the Strategic Landscape Review (SLR), Habitats Regulations Appraisal (HRA) and Preliminary Engineering Studies (PES) in the Addendum.</p> <p>We are pleased to confirm that the HRA is consistent with our final advice on the draft Appropriate Assessment.</p> <p>We have also provided comments on the use of the SLR based on our recent experience of the Luncarty to Pass of Birnam Environmental Impact Assessment (EIA).</p> <p>This shows a need for consistency of read through from the strategic to project design stages.</p>                                 | <p>Noted with thanks.</p> <p>HRA/ AA confirmation noted.</p> <p>Specific comments on the SLR are addressed below.</p>   |
| <p><b>Draft design principles:</b></p> <p>We welcome the inclusion of the draft design principles in the Addendum and understand they will be finalised in the PAS.</p> <p>We also recommend their integration into the A9 Design Guide.</p> <p>We examined these further in a SNH staff workshop last week, and will forward our recommendations under separate cover for discussion with other Environmental Steering Group members.</p> <p>We feel there is merit in collectively examining their function and convey how and when they will be used.</p>   | <p>Design principles have been reviewed and updated since the publication of the ER Addendum, as noted in Section 5 of the SEA Statement.</p> <p>Design principles have been revised taking cognisance of SNH feedback.</p> |

**A9 Dualling Programme SEA Statement – Appendix A**  
**Consultation Responses to the ER Addendum**

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment   |
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| <p><b>Ancient woodland:</b></p> <p>The SEA has highlighted the significance and extent of potential ancient semi-natural woodland loss along the route, and we consider that this is one of the most significant natural heritage challenges for the Programme.</p> <p>There is a need for an early and planned approach to avoid significant loss as there may be a need for route alignment changes and mitigation beyond the preferred corridor in some places.</p> <p>We therefore recommend a route wide study using SNH's woodland connectivity model as part of early work associated with DMRB2, and seek a commitment to this mitigation in the PAS.</p> <p>We offer our support to you in this work.</p>  | <p>Transport Scotland recognises the sensitivity around Ancient Woodland issues and has committed to working with SNH to investigate the application of the woodland connectivity model through the DMRB2 stage.</p> <p>SNH's offer of support is welcomed.</p>   |
| <p><b>Option B5:</b></p> <p>The eastern section of this off-line option may be a better option in terms of environmental effects than the on-line solution, including a better conservation management solution for the SSSI.</p> <p>We would like to explore this further with you as part of DMRB2 and recommend this is included in the PAS.</p>   | <p>Offline Option B5 (Green) has been formally removed from further consideration; however, Transport Scotland will work further with SNH during the DMRB2 stage to investigate local route alignment options, within the 200m wide online corridor.</p> <p>The SEA Statement monitoring framework includes a requirement for early consultation with SNH to consider options in proximity to the Aldclune and Inverack Meadows SSSI.</p> |
| <p><b>Applying the SEA findings at later stages</b></p> <p>PAS SEA checklist for use on design contract sections:</p> <p>It is very important that the SEA findings are fully used by consultants at design stages and we support the use of checklists in principle to help with this.</p> <p>However, we recommend these sign-post the SEA findings, rather than attempt to summarise these where there is a risk information may be missed.</p> <p>Locating the information in the SEA is especially important given that the route sections assessed in the SEA are not consistent with those proposed for later sections of the route.</p> <p>We would appreciate the opportunity to comment on the checklists and recommend they are included in the A9 Design Guide.</p> <p>This Guide will be key in gathering the SEA information collected at this strategic level.</p> | <p>Comments noted with thanks.</p> <p>SNH will be provided with opportunity to comment on the A9 Design Guide.</p> <p>The SEA Statement monitoring framework checklists refer users to the SEA and the other related strategic study documents.</p>   |
| <p><b>DMRB2:</b></p> <p>We generally feel that there is a need to address some key issues at DMRB2 where there is more route alignment flexibility rather than at EIA stage.</p> <p>We recommend junctions, access roads, laybys, important non-motorised users routes/crossings, river crossings, geodiversity features, ancient semi-natural woodland, protected species and groundwater dependent ecosystems should be considered at DMRB2, and that the PAS records the commitment to this.</p>   | <p>It is important to recognise that whilst DMRB2 considers alternative route alignment options, and that the selection of a preferred option will be informed by consideration of a range of the issues noted, locations for junctions, access roads and laybys cannot be determined until the preferred alignment is identified – although they remain key issues that inform the assessment of alternative alignments.</p>             |

## A9 Dualling Programme SEA Statement – Appendix A Consultation Responses to the ER Addendum

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment   |
|---|---|
| <p>We particularly welcome Transport Scotland's commitment to stakeholder's engagement in DMRB2 and would be pleased to continue to work closely with you at this key stage to secure best environmental solutions.</p> <p>We request the production of a timetable and consultation framework to guide our input between this SEA and the EIA statutory consultation stages.</p>   | <p>Given the desire to maintain progress against the overarching programme, Transport Scotland will continue to engage with a range of stakeholders throughout all subsequent stages of design and assessment.</p> <p>We are unable to provide a timetable and consultation framework as part of the SEA Statement; however, Transport Scotland will work to provide further information and suitable advance notice following the procurement of design contractors.</p>   |
| <p><b>Appendix H:</b></p> <p>This provides more detailed route analysis for sections between the Tay crossing and Glen Garry and we regard this as the next stage in moving forward from the SEA process. The lack of read over from the SEA findings into this document illustrates the need for a more consistent and continuous assessment process.</p> <p>As there appears to be an indicative route line within the preferred corridor and there are significant environmental constraints in this stretch, we feel it is important to discuss route alignment options with you now. We would be pleased to attend meetings with other key stakeholders.</p>   | <p>Appendix H provided further assessment of the engineering issues associated with offline options in Section B, as a comparison with indicative online options.</p> <p>The environmental issues were discussed in the SEA Environmental Report, which recommended the removal of offline options B2 and B4.</p> <p>Appendix H provided a preliminary level of engineering design and assessment to provide assurance that the full range of issues were considered to justify formal removal of offline corridors, it should not be read as the next stage of design moving forward from SEA.</p> |
| <p><b>SNH detailed comments 1 May 2014</b></p>  |   |
| <p><b>2. Overview of DMRB</b></p> <p><b>Applying SEA findings at later stages</b></p> <p>Thank you for clarifying the assessment links between the SEA, DMRB Stage 2 and project level EIA.</p> <p>We note that DMRB2 stage has the flexibility to look at alternative route alignment and junction location options within the preferred corridor, and that its outcome will be the selection of a preferred route at EIA stage.</p> <p>However, at EIA this will be limited to "fine-tuning" the preferred alignment (page 4).</p>  | <p>DMRB2 represents the development and comparison of alternative alignment options, with environmental survey and assessment at a level sufficient to inform option comparison and selection of a preferred alignment.</p> <p>DMRB3 represents the more detailed design of a preferred alignment, including structures, drainage, junctions, signage, etc. with more detailed surveys and full EIA to inform the design, it should therefore be recognised as more than fine tuning.</p>   |
| <p>It has therefore become clear that DMRB2 is a key stage of the route selection process.</p> <p>We welcome the commitment TS has made to continue to liaise with SNH through this stage (A-3), and for consultation with the environmental authorities at this stage to collaborate on developing solutions on potential pinch points (A-9). This should also help to provide a more continuous and consistent assessment.</p>  | <p>Transport Scotland confirms its commitment to further route-wide engagement through the DMRB2 stage.</p>   |
| <p>The commitment to providing a report that documents relative advantages/ disadvantages between route alignment options, including environmental issues is supported, and this will provide transparency of the assessment process.</p> <p>A general comment is that we feel that several key areas will need addressing at DMRB2 where there is flexibility for changing route alignments, rather than at DMRB3.</p> <p>These include consideration of junctions, access/ ancillary roads, laybys and rest areas (including landscape and visual assessment), river crossings, geodiversity features such as at Glen Garry and the Slochd, ancient semi-natural woodland, important Non-Motorised Users routes/crossings, protected species and identification of potential impacts on groundwater dependent ecosystems.</p> | <p>It is anticipated that consultation through the DMRB2 stage will inform reporting outputs, such that local approaches to the key issues noted will be agreed and recorded before progression to DMRB3.</p> <p>It must be noted that DMRB2 cannot secure the final location of junctions, accesses, laybys etc.; these will be determined through DMRB3, although they will be a key feature in the assessment of DMRB2 options.</p>  |

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| <p><b>Mitigation</b></p> <p>In our response to the ER we commented that mitigation recommendations in the ER are mostly generic and at a route wide level. We recommended that mitigation is more explicit and directional at this stage in identifying how the mitigation is delivered at a lower tier and by whom.</p> <p>We note this was not updated in the ERA, but agree with the statement that “the principle opportunity to mitigate potential risks to environmental constraints is through avoidance of the identified constraint by the DMRB Stage 2 route alignment optioneering” (Appendix A, page 2). We would be pleased to assist you in this process.</p>   | <p>Noted with thanks.</p> <p>Transport Scotland and our appointed Design Consultants will work with SNH to agree the appropriate, local level mitigation.</p>   |
| <p><b>3. Updates to the Environmental Report</b></p>  |   |
| <p><b>3.1 Consultation feedback</b></p> <p><b>Allt Dubhaig GCR site</b> (Page 7, Table 3.1): a notified feature of the Drumochter Hills SSSI:</p> <p>We note the response to our comments at ER stage, but consider the site is a potential environmental constraint as it is a sensitive and dynamic fluvial area which can respond to changes in runoff and sediment supply. The Allt Dubhaig GCR is an excellent natural example of the changes in shape and form of a watercourse along its length from its steep mountain torrent to its sluggish sinuous stream on the nearby floodplain.</p> <p>The site management statement states that the conservation objective for this part of the SSSI is to maintain the geomorphological interest of the site. Any un-natural changes in the magnitude and frequency of runoff and sediment discharge could potentially lead to a change in the range in nature and rates of fluvial geomorphological processes operating at this site.</p> <p>There is a close hydrological connection between the site and the road via the burns that pass through the road and rail culverts, draining both the road and the steep hillsides on the far side (East) of the road. It will be important during construction and after completion that runoff and sediment management copes with potentially flashy runoff capable of transporting gravel and cobbles into the fluvial system on the site.</p> <p>This risk could be managed through mitigation methods in a construction method statement.</p> | <p>Comments noted and welcomed.</p> <p>This information will be passed to the Design Consultant appointed for the section of the route covering the Drumochter Hills SSSI and Allt Dubhaig GCR.</p> <p>SNH will be consulted on these issues through the more detailed local design and environmental assessments during DMRB Stages 2 and 3.</p> |
| <p><b>3.2 Detailed Assessment Matrices (DAM)</b></p> <p>We welcome the updating of the DAM and inclusion of assessment of the offline route alternatives B2, B5 and A6. This demonstrates the transparency of the assessment process and we are content with the assessments for these sections.</p>  | <p>Comments noted with thanks.</p>  |
| <p><b>Offline Section B4:</b></p> <p>The ER (page 120) stated that there was a possibility of a shortened alternative to B4 which would tie into the dual carriageway before Killiecrankie in order to avoid road geometry issues around Pitlochry. We understand from the ERA that this is not now being considered as an alternative and that there are viable design solutions available for the online corridor.</p> <p>Overall, we agree that the online route is the better route in terms of natural heritage interests, but this section is particularly complex and we would welcome early discussion.</p>   | <p>This information will be passed to the Design Consultant appointed for the section of the route covering the Pitlochry area.</p> <p>SNH will be consulted on these issues through the more detailed local environmental assessments during DMRB Stages 2 and 3.</p>  |

**A9 Dualling Programme SEA Statement – Appendix A**  
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| <p><b>Offline Section B5:</b></p> <p>The SEA shows that option B5 (green) has less significant environmental effects on the SAC and SSSI than the preferred online route B1 but note the Addendum states that further design work has determined that the online solution is viable so B5 could be removed (para 3.3).</p> <p>However, the eastern section of this offline B5 option (connecting to the on-line route just before the area of ancient woodland) may have greater benefits for the River Tay SAC and Aldclune and Invervack Meadows SSSI compared with the online section. We are also concerned that the conservation management of the SSSI may be compromised by the on-line option. We would be pleased to discuss this further with you as part of DMRB2.</p>   | <p>This information will be passed to the engineering consultants appointed on the relevant design contract – Lot 2, southern section – covering the Aldclune area.</p> <p>SNH will be consulted on these issues through the more detailed local environmental assessments during DMRB Stages 2 and 3.</p>  |
| <p><b>Appendix H - Route Corridor Options review</b> (carried out Nov 2013-March 2014) has been submitted as part of the Addendum.</p> <p>This provides further design development and assessment of on-line and off-line corridors at two sections of the route: the Tay crossing to Ballinluig (section B1 (red option) B2 (black option) and Pitlochry to Blair Atholl, and south of Bruar to Glen Garry (sections B1, (red) B4 (pink) and B5 (green option).</p> <p>It recommends that only the 2 on-line corridors are taken forward for further assessment i.e. Tay Crossing to Ballinluig and Pitlochry to Glen Garry. Unfortunately there is no reference to the SEA findings in the discussion of the environmental and landscape considerations (section 3.3 and 5.3). This is important for continuity of environmental assessment.</p> <p>We do not feel this section provides an adequate summary of these considerations as it is not clear how the 'main environmental features' have been identified in relation to these corridors. Some considerations are also omitted; there seems to be no mention of effects on the Shingle Islands SAC/ Shingle Islands SSSI in the assessment in Section 3.3.</p> | <p>It should be noted that the additional design work within the alternative offline corridors was only undertaken to test and provide assurance on SEA recommendations to remove Options B2 and B4 from further consideration.</p> <p>Appendix H was not intended to rework the environmental assessment reported in the SEA Environmental Report, but to consider the relative engineering issues in comparison with the online corridor.</p> <p>The main environmental features, including the Shingle Islands SSSI/ SAC issues are discussed through the SEA Environmental Report and the HRA/ Appropriate Assessment documents, not Appendix H to the ER Addendum.</p> |
| <p>The drawings in the Appendices do not show the environmental constraints clearly and we found we could not use these for assessment purposes. If these are to be used for a basis for future discussion for these route sections, we recommend these are redrawn to identify the environmental constraints to the same standard as the GIS mapping for the SEA ER.</p> <p>The drawings for the online routes seem to identify the existing route line (in yellow) but lines on either side of this may show the proposed route line within the preferred corridors, although this is not clear and not identified in the legend.</p> <p>The SEA identified that these route sections are particularly challenging in terms of natural heritage constraints. This is an important stage for the route line selection process and we would welcome discussion with TS at this time to help find the best overall solutions for the route lines within the preferred corridors.</p>   | <p>As above, Appendix H should not be read as the next stage of route alignment development or selection.</p> <p>Instead, it presents an alignment through the centre of each 200m-wide corridor which was generated to test and confirm the SEA recommendation to remove the offline corridors from further consideration.</p> <p>SNH will be consulted further throughout the DMRB2 route alignment option development and selection process.</p>   |
| <p><b>3.4 Updates by SEA Topic</b></p>  |   |
| <p><b>3.4.3 Landscape</b></p> <p>We welcome the revision of the DAMs (Appendix B) to rectify the under-recording of landscape effects in some cases. We support the references to 'views from the road' (page 12) and note the statement that 'As the dualling program progresses opportunities will arise to develop, enhance and make better use of these views from the road'.</p>   | <p>Comments noted with thanks.</p>  |

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| <p><b>Strategic Landscape Review (SLR):</b></p> <p>This section clarifies that this is the first opportunity to formally comment on the Strategic Landscape Review (SLR) contained in Appendix F. We have now had the opportunity to 'test' the SLR on the recently submitted EIA for the Luncarty to Pass of Birnam stretch of the A9.</p> <p>The SLR is a key document for the A9 dualling project as it highlights the main landscape and visual issues for each stretch of the route. It has informed the A9 Landscape Principles and will ultimately inform the A9 Design Guide.</p> <p>The SLR is strategic and we understand that Detailed LVIA's will be carried out for each section of the route - 'as the design process... develops' and that these detailed assessments 'will be key, as the existing landscape character of the route is one of the most important elements informing the dualling alignment and detailing'.</p> <p>The successful reduction of impacts relies on the incorporation of the findings in the SLR.</p> | <p>It is important to note that the EIA for the Luncarty to Birnam stretch was developed prior to the SEA and SLR work being concluded and, as such, it may not fully reflect the outcomes.</p> <p>Transport Scotland is aware of SNH feedback on the EIA/ LVIA and will ensure the findings of the SLR are utilised moving forward.</p>   |
| <p>It is critical that the SLR is consistent and has good read-through: both within the document itself, and between the SLR and other key documents. The SLR highlights the most sensitive landscape and visual issues along the route and will be used as the basis for key decisions regarding significance of impacts and proposed mitigation. We advise that the text is cross-checked to ensure consistency.</p> <p>(Note for example that the designed landscape at Murthly Castle is described as 'not evident from the road' in para 5.8.2 yet in the Views from the Road section it states 'no real awareness of the designed landscapes at Murthly Castle...except the presence of individual mature confers'. These statements are not consistent.)</p>   | <p>Comments noted with thanks.</p> <p>The SLR text has since been reviewed and finalised taking SNH feedback into account.</p>   |
| <p>As our recent work on the Luncarty to Pass of Birnam stretch has shown, if important sensitivities are omitted or underplayed in the SLR then it is likely that they will be excluded in the detailed assessments for individual route sections.</p>   | <p>It is important to note that the EIA for the Luncarty to Birnam stretch was developed prior to the SEA and SLR work being concluded and, as such, it may not fully reflect the outcomes.</p> <p>Transport Scotland is aware of SNH feedback on the EIA and will ensure the findings of the SLR are utilised moving forward.</p>   |
| <p>It would be helpful if the broad subdivision of the route into three subsections (page 6, column 3) corresponded to the route breakdown in the DAMs.</p>   | <p>Not considered necessary as, moving forward, three A9 design contract sections will be let, south, central and north as explained in the ER Addendum.</p>   |
| <p><b>Section 3 - View from the road summary:</b></p> <p>The text states that '<i>key views for each section are identified and summarised ...</i>' however Table 1 and Figure 7 show the 19 'Primary Views' across the whole route and not by section. The text should clearly differentiate between key views for the whole route (i.e. 'Primary Views') and key views for each section (which would include 'Views'). This is relevant for example for the Luncarty to Pass of Birnam stretch where there are no Primary Views.</p> <p>However the identified 'View' to the Highland Boundary Fault for this part of the route (described in the SLR as both characteristic and attractive) is an important sensitivity that we consider has not been taken fully into account in the detailed LVIA.</p>   | <p>It is accepted that the specific text referenced may have been better written as '<i>...primary views across the route are...</i>'</p> <p>It is important to recognise that the SLR document is intended to provide a strategic overview of the whole route, and that the development of the design for each section is expected to identify further local views.</p> <p>Transport Scotland is aware of SNH feedback on the Luncarty to Pass of Birnam EIA/ LVIA and will ensure the findings of the SLR are utilised moving forward.</p> |
| <p><b>Section 4 - Designated Landscape Areas:</b></p> <p>Reference to wild land areas as being designated by SNH is incorrect (para 4.4 and Figure 11). Perth and Kinross Council are in the process of carrying out a review of Local Landscape Designations (para 4.6) for the whole of the Council area.</p>   | <p>The SLR text has since been reviewed and finalised taking SNH feedback into account.</p>  |



| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment  |
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| <p><b>Section 5 - Detailed Landscape Character Assessment:</b></p> <p>This section brings together the information from the strategic introductory chapters, the published LCAs for this area and the detailed 'Views from the Road' assessment in the Appendix.</p> <ol style="list-style-type: none"> <li>I. We recommend that the overall LCA classification should be clarified.<br/>The section is somewhat confusing because the names of the landscape character units for Tayside LCA and Inverness LCA are generic – being based on topography and/ or landcover - whilst the 15 units in the Cairngorms LCA are geographic and based on place names.</li> <li>II. Suggest clarify in Table 2 that 'Tayside', 'Cairngorms' and 'Inverness' refer to areas covered by the different landscape character assessments.</li> <li>III. The apparent overlap between 5.19 the Slochd (Slochd Mor to Baddengorm) and 5.20 Uplands: Rolling Uplands (Slochd Mor to Meall Mor) should be clarified</li> <li>IV. We note that Lower Highland Glens has been split into three sections.<br/>It is not clear why the short Killiecrankie section – which is highlighted in the text and on Figures 1, 2 and 3 as having distinct characteristics – is not a 'subsidiary character area' of this landscape character type.<br/>Should this have been done it is likely that it would have been allocated an indicative sensitivity of 'High' in Table 4.</li> </ol> <p>It might be useful to show the LCA information in a detailed table indicating how the broader landscape character units cross-reference to the sub-units and subsidiary character areas.</p> | <ol style="list-style-type: none"> <li>I. The LCA names are given both as a title and secondarily as the place names on the A9 at the limits of each LCA where generic LCA have been used as the primary reference source.<br/><br/>The LCA titles within the CNP assessment reflect those as presented in the CNPA landscape toolkit, with a secondary title in italics relating to A9 locations.</li> <li>II. Body text relating to Table 2 provides the clarification suggested.</li> <li>III. Text has been corrected to remove the overlap confusion in the most recent edition of the SLR.</li> <li>IV. Killiecrankie is recognised as an important landscape feature within the Lower highland Glens LCA, however, it was not considered appropriate to use the SLR to develop a local LCA hierarchy.</li> </ol> <p>This information will be passed to the Design Consultant appointed for the section of the route covering the Killiecrankie area, where the broader SLR approach will be refined to consider local landscape character and the detailed character of the Killiecrankie pass, in relation to Glen Garry and Strath Tummel, is expected to be explored at that stage.</p> <p>SNH will be consulted on these issues through the more detailed local environmental assessments during DMRB Stages 2 and 3.</p> |
| <p><b>Section 6 - Key issues:</b></p> <p>It is not clear how the relatively brief key design implications (Table 3) have been distilled from the proceeding assessment in the SLR. These are critical statements which will inform the individual route assessments and the A9 Design Guide.</p> <p>It would be helpful to see a detailed rationale for these statements, linking them back to the earlier text.</p> <p>Likewise the indicative sensitivities in table 4 could be expanded for greater understanding.</p>   | <p>It is important to recognise that the SLR document is intended to provide a strategic overview of the whole route, and that Table 3 simply provides a summary of the guidance set out in the review text for each LCA.</p> <p>It is accepted that Table 4 is very indicative; however, it should be read as a signpost to the more detailed sensitivity analyses that will be undertaken through the next DMRB design and assessment stages.</p>  |
| <p><b>3.4.5 Biodiversity, flora and fauna</b></p> <p><b>Revised Habitats Regulations Appraisal (HRA) and Programme level AA:</b></p> <p>Thank you for forwarding the programme level Appropriate Assessment Report (Appendix E) and Appendices (A-C), as part of the Environmental Report. We confirm that this is consistent with our final advice on the draft Appropriate Assessment.</p>  | <p>SNH confirmation on the HRA/ AA process is noted with thanks.</p>   |
| <p><b>3.4.5 Woodland</b></p> <p>The SEA has identified the potential for significant adverse impacts on ancient semi-natural woodland from the dualling programme. We have carried out some initial GIS based mapping work which has indicated that across the whole project, ~150ha of ancient semi-natural woodlands could be affected by the dualling project, based on an on-line route. It has become clear that this is one of the most challenging and nationally important natural heritage issues for the Programme and as such we would like to engage early with TS and other key partners to find the best solutions.</p>   | <p>Transport Scotland confirms its commitment to further route-wide engagement with SNH through the upcoming DMRB Stage 2 and 3 assessments.</p> <p>The over-riding principle in the development of DMRB Stage 2 route alignment options and comparison will be to avoid as many adverse</p>   |

**A9 Dualling Programme SEA Statement – Appendix A**  
**Consultation Responses to the ER Addendum**

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment  |
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| <p>Given that categories 1a, 2a and 3 of the Ancient Woodland Inventory are irreplaceable, the starting point for route alignment options should be to avoid loss, damage or fragmentation of ancient semi-natural woodland.</p> <p>We therefore welcome TS's re-assurance that the primary consideration is avoidance of AWI sites in the route alignment studies and recommend that the SEA Statement clarifies that the first approach is to avoid ancient semi-natural woodland.</p>  | <p>impacts/ risks as possible, including the avoidance of semi-natural ancient woodland sites in conjunction with other constraint features.</p> <p>Where avoidance is not possible, SNH will be consulted on options to minimise adverse impacts.</p>   |
| <p>We also recommend an overarching woodland design principle that<br/> <i>"there should be no loss of woodland functionality at the landscape scale as a result of the A9 dualling."</i></p> <p>This means in some places that there will need to be new woodland created, but mitigation should also examine bringing existing woodland remnants into favourable condition through management, and enhancing connectivity between woodland fragments to mitigate for woodland loss where it is unavoidable.</p> <p>Mitigation outwith the preferred corridor may be required to ensure functionality is maintained. We also recommend consideration of reconnecting woodland fragments that were separated by the existing A9 through a variety of mechanisms including habitat tunnels/ bridges.</p>   | <p>Further discussion with SNH is required on this issue as there may be legal/ contractual limitations on Transport Scotland's ability to provide mitigation outwith the land envelope available for dualling and/ or to influence the management of woodland sites.</p>  |
| <p>We would welcome early DMRB2 discussion on sites where it is considered that avoidance of ancient semi-natural woodland is not achievable. We also seek a commitment to this mitigation in the PAS.</p>  | <p>Transport Scotland confirms its commitment to further engagement with SNH through the upcoming DMRB Stage 2 and 3 assessments.</p>  |
| <p>We recommend a route long assessment of this ancient woodland is needed based on SNH's woodland connectivity tool. This is needed at the earliest stages of planning of a preferred route in the corridors.</p> <p>We will be pleased to assist TS in this work by:</p> <ul style="list-style-type: none"> <li>• Using the woodland connectivity model to identify which areas of ancient woodland have the highest connectivity scores, and use this to rank them in terms of relative importance in the habitat network</li> <li>• Identify equivalent areas of woodland within the catchment in terms of their connectivity.<br/>Rank these on the basis of their current composition (native semi natural &gt;non-native plantation and condition (using NWSS), and which ones make the greatest contribution to the overall connectedness of woodland in the catchment</li> <li>• Identify specific constraint locations</li> <li>• Identify through the application of SNH's functional woodland connectivity model where landscape scale mitigation (including new off-route woodland) may be required.<br/>This may require another layer of analysis beyond the road design and build approach such as forestry contractors</li> <li>• Woodlands containing invasive non-native species should be targeted for restoration</li> </ul> | <p>Further discussion with SNH is required on this issue as there may be legal/ contractual limitations on Transport Scotland's ability to provide mitigation outwith the land envelope available for dualling and/ or to influence the management of woodland sites.</p> <p>SNH's offer of assistance in considering the application of the woodland connectivity tool is noted and welcomed.</p> |

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment   |
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| <p><b>Clarification of Ancient Woodland Inventory (AWI) dataset</b></p> <p>Thank you for amending the GIS baseline data. The mapping of the (AWI) data is clearly presented (pages 7 and 16 of the Addendum and Appendix C). To clarify, the AWI categories which are of primary conservation importance are:</p> <ul style="list-style-type: none"> <li>• 1a (ancient semi-natural),</li> <li>• 2a (long-established semi-natural) and</li> <li>• 3 (other woods on Roy).</li> </ul> <p>1a and 2a have been amalgamated in the Inventory, and together they are understood to comprise “ancient woodland” in Scotland. Plantations on ancient woodland sites (PAWS) are also important as they have restoration potential.</p> <p>Category (3) “Other woods on Roy sites” have probably had a fairly continuous history of woodland cover and are therefore comparable with ancient woods.</p> <p>Class 2b – Long established of plantation origin sites (LEPOs) are plantation woodlands that date from the 1800s and are not considered to have the same conservation value.</p> <p>It is important that any future analysis clearly differentiates between these different classes.</p> | <p>Advice on AWI categories, and their relative conservation value, is noted and will be passed to Transport Scotland’s appointed Design Consultants.</p> <p>It is recognised that the AWI GIS dataset enables representation against the categories noted, and the design consultants will be advised to distinguish between the categories on future constraint mapping tools.</p>  |
| <p>The statement below Table 3.5 should therefore be amended in the PAS to exclude LEPO sites and reflect that “ancient semi-natural woodland covers 14.5% of the total surface area of the 200m wide online corridor.”</p> <p>We also recommend checking/ amending the statement that “cumulatively, 10% of the total area of all the Ancient Woodland sites, which cross the 200m corridor boundary, could be at some risk of impact...” (final para, page 17).</p> <p>Para 3: first sentence: Likewise, amend to clarify the need to avoid ‘ancient semi-natural woodland’ sites.</p>  | <p>It is considered sufficient to note this point in the SEA Statement as the ER Addendum will not be updated/ reissued.</p> <p>The statement about “cumulatively 10% of the total area” simply highlights that when the full area of each of the Ancient Woodland sites that cross the 200m boundary are totalled (including the area outwith the corridor), then the proportion of those sites that fall within the corridor boundary totals 10%.</p> <p>This does not mean that 10% will be affected, as not all woodland within the corridor boundary will be impacted.</p> |
| <p>All ancient woodlands have an equivalent level of antiquity i.e. they all date from at least 1750 (some may of be older than this but information to establish this is not available).</p> <p>Appropriate mitigation measures would need to identify an equivalent parcel (in terms of size and connectivity) of ancient woodland in the catchment that can be brought into favourable condition.</p>  | <p>Further discussion with SNH is required on this issue as there may be legal/ contractual limitations on Transport Scotland’s ability to provide mitigation outwith the land envelope available for dualling and/ or to influence the management of woodland sites.</p>   |
| <p><b>3.4.6 Soil and geodiversity</b></p> <p>We welcome consideration of sustainable soil management and geodiversity in the ERA (page 20-22 and in Table 3.8) which shows sites with potential for new exposures, or threats to geodiversity interests.</p> <p>There is a risk of losing important geological structures currently visible in the SSSI through cutting/ widening further into the hillside. Particular areas of concern are the fold structures on the north sides of the Allt Crom and Black Tank road cuts. The risks may be lower for some potentially more extensive features.</p> <p>We would be pleased to discuss this further with you at DMRB2.</p>   | <p>SNH comment does not specify the particular SSSI; however, assumed as the Glen Garry SSSI.</p> <p>This information will be passed to the Design Consultant appointed for the section of the route covering the single carriageway through the Glen Garry SSSI area.</p> <p>SNH will be consulted on these issues through the more detailed local environmental assessments during DMRB Stages 2 and 3.</p>   |
| <p><b>Comments on Table 3.8:</b></p> <p>Slochd (GCR) site (Dalradian) NH 836 257: The Slochd exposures could be improved. However, netting and walling of new and re-profiled rock faces, and natural exposures, would threaten the scientific interest.</p>  | <p>This information will be passed to the Design Consultant appointed for the section of the route covering the single carriageway through the Slochd GCR area.</p> <p>SNH will be consulted on these issues through the more detailed local environmental assessments during DMRB Stages 2 and 3.</p>  |

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment  |
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| <p>River Garry GCR site (Dalradian) protected geodiversity interest in the Glen Garry SSSI:</p> <p>The current text does not sufficiently recognise potential losses and we recommend the section Potential for new exposures' is replaced with:</p> <p>"Widening of cuttings could threaten interest by removing important features exposed in existing road cuts. New cuttings may compensate for much of exposure lost from existing cuttings, providing they are not obscured by mesh or walling. However, some features are unlikely to be re-produced in new cuttings and should be avoided in road alignment. Vegetation clearance associated with the development will improve visibility and access in the easternmost sections of the site."</p> <p>This is an example of a place where we would prefer to see sediment traps used to catch new rock fall hazard, rather than cover up exposed rock faces, or have the new exposed rock faces obscured by concrete retaining walls, gabion baskets and mesh. This could be accommodated in a construction method statement.</p> | <p>It is considered sufficient to note this point in the SEA Statement as the ER Addendum will not be updated/ reissued.</p> <p>This information will be passed to the Design Consultants appointed for the section of the route covering the single carriageway through the Glen Garry SSSI area.</p> <p>SNH will be consulted on these issues through the more detailed local environmental assessments during DMRB Stages 2 and 3.</p>  |
| <p><b>3.4.7.1 Drainage and SUDS</b></p> <p>We note the statement that three levels of SUDS may be required for SACs or for sensitive habitat/ aquatic species. However, SUDS treatment for Natura sites and their interests would need to satisfy that there is no adverse effect on site integrity.</p>  | <p>This information will be passed onto all three Design Consultants to ensure it is included in relevant project level HRA and EIA.</p>   |
| <p><b>4. Update on PES studies</b></p> <p>Thank you for providing the post-ER update on the strategic studies on junctions, laybys and NMU issues (page 27). The clear indication of assessment at either DMRB 2 or 3 is supported.</p> <p>However, as a general principle, we recommend assessment of significant natural heritage issues for new junctions, roads and lay-bys is carried out at DMRB2 (rather than DMRB3 as proposed) (ref A-6), as this stage has the flexibility to move positions if significant environmental effects are possible.</p>   | <p>SNH advice is noted.</p> <p>It is an important point to note that junctions, laybys and connecting road requirements will be key considerations throughout DMRB Stage 2, necessarily informing the refinement of alternative route options and the selection of a preferred alignment.</p> <p>Where DMRB Stage 2 works up example designs for such features, both to inform alignment options assessment and to consider minimum distances required to meet safety standards, this will be on an indicative basis only.</p> |
| <p><b>4.1 Junction issues</b></p> <p>This provides broad indicative junction locations in the Addendum, and an explanation of road hierarchy and grade separated junctions (4.4.1). We note that landscape impacts are not considered in any detail as the actual locations are not yet determined (page 32).</p> <p>A detailed Landscape and Visual Impact Assessment is proposed for Stage 3 (EIA) (A-6) but we recommend an assessment of all significant environmental issues is undertaken at DMRB2. We will be pleased to comment on these proposals when more specific locations are known.</p>  | <p>Stage 2 assessment of natural heritage impacts will include the identification and comparison of significant constraints/ implications between alternative options and locations; however, it is unlikely to include a detailed LVIA.</p>   |

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment   |
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| <p><b>4.2 Layby issues</b></p> <p>The case by case approach is supported, as is the iterative approach to positioning in accordance with a ‘Combined or existing/ proposed assessment matrix at DMRB stage 2 or 3. We will be pleased to comment on the proposed assessment matrix and recommend this forms part of the Design Guide.</p> <p>This section of the ERA ends with a statement that lay-by positioning will be informed by the Landscape Review and the HRA (page 35).</p> <p>However, we expect the positioning to be assessed at DMRB2 stage in relation to other significant environmental constraints and opportunities such as ancient woodland, geodiversity, landscape and visual issues, soils, access and access to and enhanced experience of the landscape, and the needs of non-motorised users.</p> <p>This follows our comments for the ER that the assessment process should provide a full assessment of natural heritage impacts (not just internationally important sites).</p> <p>The summary of current A9 lay-by provision shows a total of 197 lay-bys, 3 of which are Type A with merge taper i.e. the target design standard for the dualled A9. 197 in total equates to approximately 98 in either direction, which means on average, a lay-by roughly every 2km.</p> <p>Laybys provide users of the A9 with a number of useful and enjoyable functions including: an opportunity to stop, rest, and enjoy the view; non-motorised access to routes and locations which enable people to enjoy the natural heritage; and bus stops. It is important that future laybys are located in the right locations to best deliver this range of functions.</p> | <p>The output of Stage 2 is the selection of a preferred alignment; Stage 3 then works up a more detailed design, including junctions and additional features.</p> <p>Flexibility to adjust the preferred alignment/ features remains through the Stage 3 process.</p> <p>At Stage 3, the more detailed environmental assessments will include LVIA to inform the location junctions, etc.</p> <p>Similarly, layby positioning will be a key factor in DMRB Stage 2 consideration of standard distances required between features, informing the selection of a preferred alignment; however, final layby positioning will not be determined until DMRB Stage 3.</p> <p>All of these issues will be considered and documented through DMRB Stage 2, to a level of detail sufficient to inform option selection and to minimise risks/ conflicts at DMRB Stage 3.</p> <p>More detailed EIA related assessments will be completed to inform the final detailed designs.</p> <p>Transport Scotland is fully committed to delivering the optimum balance between the range of (often conflicting) issues along the route.</p> |
| <p><b>4.3 Non-motorised users (NMU) issues</b></p> <p>The summary of NMU baseline and crossing provisions is supported (Table 4.4).</p> <p>The table shows a total of 143 NMU crossings, however, the text of this section cites a total of 135 NMU crossing points over the 177km route length.</p>  | <p>Error noted – 143 NMU crossings in the table includes all existing dual carriageway sections.</p> <p>The error will be noted in the SEA Statement; however, the ER Addendum will not be updated/ reissued.</p>   |
| <p>The table summarises key NMU routes – Core Paths, National Cycle Network (NCN) routes, and other ‘informal’ routes which have been identified by the PES team in consultation with others. We would like to stress the key point that there is a statutory Public Right of access (under the Land Reform (Scotland) Act 2003) to use all of these linear routes, including any ‘informal’ paths / tracks.</p> <p>The right of access applies to most land and inland water in Scotland, not just linear routes, and all Access Authorities (National Park and Local Authorities) have a statutory duty to uphold this right.</p> <p>Access Authorities are, therefore, key stakeholders to engage with in terms of the potential stopping-up of access routes by the dual carriageway / reduction in NMU crossing points / reduction in lay-by provision, both on a temporary basis during road construction, and any permanent closures / diversions.</p>   | <p>Transport Scotland is consulting with Access Authorities as key stakeholders to inform the A9 Dualling Programme.</p>  |
| <p>We note the recommendation that DMRB 2 and 3 assessments should ‘give consideration to ‘Undertake a review of NCN routes to ensure an alternative route is provided (where dualling has an impact)’.</p> <p>It would, however, be our preference that this was a firm recommendation, rather than a desire to consider such a review, and we recommend this work is carried out at DMRB2.</p> <p>The NCN is a nationally significant resource which facilitates local active travel and recreation/ tourism journeys, as well as long-distance cycle touring including an important element for many Land’s End to John O’Groats cyclists.</p> <p>It is also a key element of the proposed national network of walking &amp; cycling routes, likely to be recognised as a new National Development in the forthcoming NPF3. The dualling of the A9, and the need to consider the impact on cyclists and the NCN, is referred to in the refresh of the Cycling Action Plan for Scotland (Transport Scotland 2013).</p>  | <p>A9 dualling related effects on the NCN will be included through DMRB Stage 2 route alignment options assessment.</p> <p>DMRB Stage 3 will include detailed design of any changes/ mitigation required for the NCN, for example, where dualling crosses the existing route.</p>   |

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment  |
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| <p><b>5. Cumulative effects</b></p> <p>We feel that cumulative impacts between the Highland Mainline (HML), Beauldy-Denny Power Line (BDL) and A9 Dualling programme (page 40) are sufficiently addressed at this level.</p>  | <p>Noted with thanks.</p>  |
| <p><b>5.1 Highland Mainline</b></p> <p>We note the comment that is considered unlikely that AWI sites would be affected by HML improvements because the land is previously disturbed; this will need to be checked at design level. The uncertainty of timetabling and location of the HML options is also noted.</p> <p>We note the conclusion that SEA considers risk of in-combination effects of A9 dualling and HML improvements is very low, but welcome the commitment to continued communication between the two protect teams.</p> <p>If it becomes apparent that works to the routes may result in in-combination cumulative environmental effects, these should be assessed for potential increased impacts, such as prolonged periods of disturbance.</p>   | <p>SNH advice is noted.</p>  |
| <p><b>5.2 Beauldy-Denny Power Line (pg 42)</b></p> <p>The ERA states that power line construction is likely to be completed before much of the A9 dualling through Drumochter is underway (page 42).</p> <p>We agree that local landscape and visual impact assessment for the A9 dualling will need to consider the effects of the BDL construction in the assessment.</p>   | <p>SNH advice is noted and will be passed to the Design Consultants appointed for the section covering the single carriageway through the Drumochter Hills/ Dalwhinnie area.</p>   |
| <p><b>6. Draft Strategic Environmental Design Principles</b></p> <p>Thank you for including the draft strategic principles in the Addendum. We welcome the intent to present final principles in the SEA Post Adoption Statement (PAS). The application of the design principles to inform the development of the A9 Design Guide is noted, but we recommend these are integrated into the Guide.</p> <p>We have a number of detailed comments on individual design principles... Rather than re-examining these as part of our SEA response, we propose that this undertaken as a separate exercise under the auspices of the Environmental Steering Group. We will forward our recommendations under separate cover.</p> <p>We feel that there is also a need for further consideration of the overall functions of the principles so that they can be used most effectively in the later design stages of the Programme.</p> <p>A preamble to the principles is needed, explaining how and when they should be applied, and clarification that that they apply to all associated works such as laybys, junctions, new access roads and cycle ways, site works and depots.</p> <p>Statutory obligations should not need to be stated in the principles. Given these are principles we also suggest deleting of caveats such as 'where practicable' and 'where possible.'</p> <p>We recommend a hierarchy approach for their use; an instruction/ expectation that all principles should be followed, and if avoidance is just not possible, then justification is needed as to why this is the case. A strategy for minimisation of impacts would then be needed.</p> <p>Clear instruction early on in the design process will help avoid potential issues later on in the process which could be result in potential delays and poor outcomes. When finalised, we will be pleased to help in raising their awareness and understanding with the design consultants/ contractors.</p> | <p>The Strategic Environmental Design Principles have been reviewed and updated and are presented in SEA Statement Section 5.</p> <p>The Principles will be integrated into the Design Guide, with appropriate explanation on Transport Scotland's expectations.</p> |



| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment  |
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| <b>7. Moving Forward</b>  |  |
| <p><b>7.2 Signposting the PAS (page 47)</b><br/> <b>Applying the SEA findings at later stages:</b><br/> The ERA states that “the SEA PAS checklist tables will summarise the key constraints in each dualling stretch/ section and provide SEA recommendations/ guidance on the measures to be considered at DMRB Design Stage 2 and Stage 3.”<br/> We recommend these form part of the A9 Design Guide.<br/> These checklists are essential to ensure the continuity of environmental assessment and we would welcome the opportunity to comment on the drafts.<br/> There is a risk that valuable information contained in the SEA will be missed if only a summary of the SEA key comments is provided, so we suggest a better approach is to signpost the SEA findings in the checklists.</p> | <p>Application and use of the checklist tables is described in SEA Statement Section 6.<br/> The tables are attached to the SEA Statement as Appendix B, and will be suitably referenced in, or appended to, the Design Guide.</p>                                       |
| <p>We note from Table 7.3 that the SEA study sections will be categorised into 3 DMRB stage 2 and 3 stages, with 10 dualling stretches.<br/> These are not consistent with the 6 SEA assessment sections as set out in the ER, (page 15) so it is important that there is very clear read-over between the SEA and the later DMRB stages so the SEA findings can be easily located.</p>   | <p>Table 7.1, Figure 7.1 and Table 7.2 in the ER Addendum explain how the 6 SEA study sections relate to the 3 design lots (south/ central/ north), and the 10 dualling stretches, using colour coding that is carried over into the SEA Statement checklist tables.</p> |
| <p>The division into later DMRB stages would be more useful if it is divided into 2 columns - ‘recommendations for DMRB2’ and a separate column for ‘recommendations for DMRB3.’<br/> The ‘recommendations for later DMRB stages’ should also include or signpost the mitigation/ enhancement recommendations in the DAM.</p>   | <p>SNH advice is noted – see SEA Statement Appendix B.</p>   |
| <b>Historic Scotland</b>  |  |
| <p>Thank you for your consultation dated 19 March 2014 which we received through the Scottish Government’s SEA Gateway on 19 March 2014. I have considered the contents of the SEA Environmental Report Addendum on behalf of Historic Scotland as an SEA Consultation Authority. In general, the ER addendum has clarified some of the issues we have raised during the SEA process.<br/> However, there remain a number of strategic level issues that will be required to be addressed during the course of the preparation of the design guide. Please note that this response relates only to the content of the ER Addendum and that comments on projects related to the SEA and its findings will be provided under separate cover.</p>  | <p>Noted with thanks.</p>  |
| <p><b>Annex</b><br/> I note the comments on our response to the Environmental Report as set out in Appendix A. However, in terms of taking forward the indicative corridor options identified in the ER Addendum to route alignments, it will be essential to have a robust assessment of alternatives to demonstrate how impacts on the historic environment have been avoided and where this is not possible, reduced as far as possible.</p>   | <p>This will be undertaken through the DMRB Stage 2 route alignment options comparison processes.</p>  |

**A9 Dualling Programme SEA Statement – Appendix A**  
**Consultation Responses to the ER Addendum**

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment   |
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| <p>We welcome further explanation of the rationale behind the use of percentages to indicate the area affected by the proposed dualling of the A9. For the reasons stated in our response to the ER, we remain concerned that this is not necessarily an appropriate measure of likely significant impacts on the historic environment.</p>   | <p>GIS constraint analysis tools used to calculate the area of other features within corridor option boundaries (eg. SSSI site/ Ancient Woodland site layers) provided percentage outputs for all assessed data layers, including historic environment layers.</p> <p>The percentages noted were not intended to provide a measure of the significance of impacts on the historic environment and can be discounted as such; what was assessed as more relevant was the relative concentration of historic environment features within alternative corridor boundaries.</p> |
| <p><b>DMRB stages and timing</b></p> <p>We welcome the clarification in the SEA ER Addendum of the links between the design and environmental assessment process. We note that there remains some flexibility over alternatives and alignment of routes at DMRB stage 2. On this basis, it would appear that this will be a key stage for Transport Scotland (TS) to engage with Historic Scotland to ensure that impacts on the historic environment are avoided as far as possible.</p> <p>TS should also ensure that the Local Authority Archaeologist is included in discussions at this early stage to ensure that their views on unscheduled archaeology are also captured.</p>   | <p>Transport Scotland and our appointed Design Consultants will continue to work with Historic Scotland throughout DMRB Stages 2 and 3.</p> <p>Advice on the inclusion of Local Authority Archaeologists is also noted.</p>   |
| <p><b>ER updates</b></p> <p>I note the corrections following HS comments provided in table 3.1.</p> <p>We note and welcome clarification over the intention to give precedence to EIA findings (page 13) if it becomes apparent that impacts are likely to be more significant than they have been considered during the SEA.</p> <p>We recommend that this stated intention is included in the Post Adoption Statement.</p>  | <p>See SEA Statement Section 2, Table 2.1, page 10 (Overview of DMRB)</p>   |
| <p>I recommend that TS clearly set out that there remains some uncertainty over unscheduled archaeology in the Post Adoption Statement.</p> <p>I note from the information provided in Appendix H that a LiDAR survey has been undertaken as part of Preliminary Engineering Services work to establish contour data. If it is TS's intention to carry out further LiDAR survey at a different resolution for other engineering or environmental studies to inform route alignments, it will be useful to have any results assessed by an archaeologist.</p> <p>This could form part of a strategy to manage some of the risk and uncertainty over the location and extent of archaeological sites in the vicinity of the A9.</p> | <p>See SEA Statement Section 2, Table 2.1, page 8 (Historic Environment)</p> <p>Advice on use of LiDAR survey data is noted and will be passed to each of the three Design Consultants.</p>   |
| <p>We note and welcome TS's intention to seek further detailed discussion with Historic Scotland at DMRB stage 2. We will be happy to continue to engage with you during this process.</p> <p>However, as discussed in previous responses, it will also be essential to ensure that the relevant Local Authority Archaeologists are included in discussions on route options at an early stage to ensure that their input is meaningful.</p>  | <p>Transport Scotland and our appointed Design Consultants will continue to work with Historic Scotland throughout DMRB Stages 2 and 3.</p> <p>Advice on the inclusion of Local Authority Archaeologists is also noted.</p>   |



**A9 Dualling Programme SEA Statement – Appendix A**  
**Consultation Responses to the ER Addendum**

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment  |
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| <p><b>Update on preliminary engineering studies</b></p> <p>We welcome the information provided on the approach to the identification of junction locations and understand that they are currently only broadly indicative is noted i.e. they are not fixed locations. We note the extent of study areas for each junction.</p> <p>However, Appendix D indicates that there are a large number of nationally important heritage assets which are likely to be affected, potentially directly, by proposed junctions.</p> <p>We advise that it will be essential for discussions on the location of junctions to form part of TS's ongoing engagement with Historic Scotland as part of the DMRB stage 2 work which is taking place.</p> <p>For the sake of clarity, where impacts cannot be avoided there will be a requirement for TS to apply for prior consent in addition to any other consents or approvals which would be required.</p> <p>As part of that process, TS will need to demonstrate why avoidance is not possible.</p>   | <p>Historic Scotland advice is noted and will be passed to each of the three appointed Design Consultants.</p> <p>It is an important point to note that junction requirements will be key considerations throughout DMRB Stage 2, necessarily informing the refinement of alternative route options and the selection of a preferred alignment.</p> <p>However, it must be stated that whilst DMRB Stage 2 could work up example junction designs, to inform alignment options assessment, locations would be indicative only at DMRB Stage 2.</p> <p>Transport Scotland and each of the three appointed Design Consultants will continue to work with Historic Scotland throughout DMRB Stages 2 and 3.</p> |
| <p>We note that the information provided in Appendix H on the route corridor options between Tay Crossing and Glen Garry. Assessment of the presence of historic environment features in the vicinity of the road line is noted.</p> <p>However, the scale of the mapping and the lack of legibility of the environmental data mean that the appended plans are not easy to read.</p> <p>As the assessment indicates, there are a number of heritage assets in the vicinity of the existing A9. They include a number of scheduled monuments which are adjacent to the existing carriageway.</p> <p>An online option will have a direct impact on these sites which it would be preferable to avoid. As indicated above where this is not considered to be possible, any such impacts would require prior consent.</p> <p>I note that it is considered that measures such as relocation of these monuments might mitigate these impacts. In taking these issues into account, the information provided in DMRB on the mitigation of impacts on archaeology is highly relevant.</p> <p>The mitigation of direct impacts on archaeological sites is unlikely to be as straightforward as implied in the PES report and the relocation of such assets may not be the appropriate response.</p>   | <p>Historic Scotland advice is noted.</p> <p>Transport Scotland and each of the three appointed Design consultants will continue to work with Historic Scotland throughout DMRB Stages 2 and 3.</p> <p>The area discussed relates to the southern section of the route; however, the issues are relevant along the whole route.</p>  |
| <p>As you will be aware, a framework of procedures for determining mitigation measures is set out in DMRB vol 11, section 3, part 2. The annexes to that volume contain information for addressing impacts on various sub-topics for the historic environment. DMRB volume 10 section 6 part 1 sets out some general principles of archaeological mitigation. Mitigation measures should be considered as a hierarchy from 'best' - prevention of impacts at source to 'worst' - offsetting impacts by providing improvements elsewhere.</p> <p>Preservation by record is a strategy that should only be pursued once all other options for mitigation have been exhausted. This also relies on an appropriate level of consultation at the design stages with the relevant consultees.</p> <p>The advice that mitigation measures should be agreed on a case-by-case basis and should be commensurate with the value of the resource is of particular relevance. The value of the resource should be established through the design process with the appropriate consultees.</p> <p>Historic Scotland can be contacted for advice on scheduled monuments and their setting, Category A listed buildings and their setting, Inventory Gardens and Designed Landscapes and Inventory Battlefields. In addition to the advice set out in DMRB, Historic Scotland's Managing Change guidance for these asset types should be taken into account in the design process.</p> | <p>Historic Scotland advice is noted.</p> <p>Transport Scotland and each of the three appointed Design Consultants will continue to work with Historic Scotland throughout DMRB Stages 2 and 3.</p> <p>Advice on the inclusion of Local Authority Archaeologists is also noted.</p>  |

**A9 Dualling Programme SEA Statement – Appendix A**  
**Consultation Responses to the ER Addendum**

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment   |
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| <p>For archaeological sites that are not scheduled monuments, which may also include elements of Inventory Battlefields, information and advice should also be sought from the Local Authority Archaeologist. Where it is not possible to preserve listed buildings in situ, such proposals should be discussed with the planning authority at design stage. We recommend that this advice is captured in the Post Adoption Statement.</p>  |   |
| <p>We note the assessment of the red option between Pitlochry to Glen Garry in relation to potential impacts on the Inventory battlefield at Killiecrankie. We welcome the statement that there are potential engineering solutions to keep impacts on this nationally important asset to a minimum.</p> <p>However, we do have concerns in relation to this impact of potentially major significance and it will be essential that a clear understanding of impacts on both archaeological remains and landscape features associated with the battlefield is developed to inform the route alignment process. We would be happy to work with you on these matters. You should also seek advice at the earliest possible stage from the Local Authority Archaeologist.</p>  | <p>Historic Scotland advice is noted.</p> <p>This information will be passed to the Design Consultants appointed on the section of the route covering the single carriageway through the Killiecrankie Battlefield area.</p> <p>Historic Scotland, and the Local Authority Archaeologist will be consulted on these issues through DMRB Stages 2 and 3.</p> |
| <p><b>Draft Strategic Design Principles</b></p> <p>We note the draft Strategic Environmental Design principles set out in chapter 6 for the historic environment.</p> <p>We recommend that the following principles are included in the table</p> <ul style="list-style-type: none"> <li>• Ensure boundary treatments in GDL are of high quality materials and are applied appropriately and consistently</li> <li>• Seek enhancements where appropriate – discuss with HS and local authority archaeology and/ or conservation advisors where under consideration.</li> </ul> <p>An additional principle could be added to address the potential for improved access to the historic environment along the A9. However, please note that this does not necessarily have to be physical access as this could be achieved by the provision of signage and/ or information panels.</p> <p>I understand that this is one of the aims of a layby strategy and we can provide you with further advice on these matters if that is considered beneficial.</p> | <p>The Strategic Environmental Design Principles have been updated to and are presented in SEA Statement Section 5.</p> <p>Historic Scotland offer of further advice is noted and welcomed.</p>   |
| <p><b>Moving forward</b></p> <p>I note the information provided in chapter 7. We welcome the inclusion of a worked example of the monitoring framework in table 7.3. We would be happy to provide further advice on its development, if that is considered beneficial.</p>  | <p>The SEA Monitoring Framework tables are discussed in SEA Statement Section 6 and attached as Appendix B.</p>   |
| <p><b>SEPA</b></p>  |   |
| <p>Thank you for your Environmental Report (ER) Addendum consultation submitted under the above Act in respect of the A9 dualling programme. This was received by SEPA via the Scottish Government SEA Gateway on 12 March 2014.</p> <p>We consider the ER Addendum has generally addressed the issues we raised at scoping and within our previous ER consultation response. We have flagged up some issues which will require further consideration as part of the A9 Design Guide in Appendix 1 of this letter.</p> <p>Please note, this response is in regard only to the adequacy and accuracy of the ER Addendum and any comments we may have on the A9 dualling itself will be provided separately. As the design of the A9 dualling progresses, Transport Scotland as Responsible Authority, will be required to take account of the findings of the Environmental Report Addendum and of views expressed upon it during this consultation period.</p>  | <p>Noted with thanks.</p>   |

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback  | SEA Comment   |
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| <p><b>Appendix 1: Comments on the ER Addendum</b></p> <p>We are generally satisfied with the content and conclusions of the ER Addendum.</p> <p>As stated previously we consider that the recommendations of the original ER and this Addendum are integral to the production of the A9 Design Guide and therefore we have focussed our comments below on where the SEA recommendations need expanded within the A9 Design Guide. For the avoidance of doubt, for sections where we have not provided detailed comments it can be assumed that we are generally satisfied with the content and recommendations of the ER insofar as our remit extends.</p> | <p>Noted with thanks.</p>   |
| <p><b>1. Section 2 Overview of DMRB</b></p> <p>1.1 We welcome the clear explanation of how the route options will be assessed through the DMRB process.</p> <p>As stated “In effect, the SEA provides the desktop environmental constraint studies required at DMRB Stage 1.”</p> <p>We understand that DMRB Stage 1 assessed a preferred corridor and Consultation Authorities have been engaged in this through the SEA process. DMRB Stage 3 involves the Environmental Impact Assessment and Roads Order statutory process on which Consultation Authorities are also consultees.</p>  | <p>Noted with thanks.</p>   |
| <p>1.2 We understand that DMRB Stage 2 assesses alignment options within the preferred corridor defined at Stage 1/SEA.</p> <p>The flowchart on Page 5 talks about stakeholder engagement but there is no specific mention about how Consultation Authorities would be engaged at this stage. This is a key stage in ensuring environmental impacts are minimised through avoidance of sensitive receptors where possible.</p>   | <p>Consultation Authorities will continue to be engaged via mechanisms managed by Transport Scotland, such as the A9 Environmental Steering Group or via direct communication on particular issues in particular locations.</p>   |
| <p>1.3 Appendix H of the ER Addendum highlights some sensitive areas along the A9 corridor and the Strategic Flood Risk Assessment flags up areas such as Kingussie.</p> <p>Consultation authorities need to be consulted in detail at Stage 2 as routing options provide the key way to avoid sensitive areas and there will be sections of the route with competing environmental interests.</p>   |   |
| <p>1.4 We understand that it is Transport Scotland's intention for Consultation Authorities to be consulted at Stage 2.</p> <p>For the avoidance of doubt we request that the A9 Design Guide contains a section on the importance of consulting Consultation Authorities at Stage 2 and perhaps setting out a formal process that has to be undertaken.</p> <p>For example, this could set out either a formal consultation period on the DMRB Stage 2 Report or the use of a one day workshop with all Consultation Authorities round the table.</p>   | <p>DMRB Stage 2 consultations will be managed by Transport Scotland and it is not expected that the Design Guide will lay out a formal consultation process, given the number of design sections/ schemes envisaged across three design contracts.</p> <p>It is envisaged that the A9 Environment Steering Group will consider the requirements for consultation periods/ workshops in line with developing issues/ detail.</p> |
| <p><b>2. Section Updates to the Environmental Report</b></p> <p>2.1 We are satisfied with all the updates to the Environmental Report within this section subject to the comments below.</p>   | <p>Noted with thanks.</p>   |

**A9 Dualling Programme SEA Statement – Appendix A**  
**Consultation Responses to the ER Addendum**

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback  | SEA Comment   |
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| <p>2.2 We welcome the proposals in Section 3.4.6. to consider avoidance of excavating rare and important soil resources, appropriate re-use of peat and soils and control of non-native invasive species.</p> <p>Page 21 seems to suggest this is only required for certain sections however we understand Transport Scotland are proposing to consider these issues for the whole route.</p> <p>For the avoidance of doubt we would expect appropriate re-use of peat and soils and control of non-native invasive species along the whole route and this should be detailed in the A9 Design Guide. We would defer to Scottish Natural Heritage for advice on rare and important soil resources.</p>   | <p>SEPA feedback is noted and will be detailed through the Design Guide.</p> <p>Transport Scotland and each of the three appointed Design Consultants will continue to work with SEPA on these issues throughout DMRB Stages 2 and 3.</p>   |
| <p>2.3 In terms of Section 3.4.7.1 to reiterate, we have no preference as to what type of surface water drainage devices are used.</p> <p>There are many types of devices and we do not expect basins and ponds to be used in every case. For example in sensitive landscape areas the creation of new wetland areas could be an option. We are open to many types of surface water drainage devices so long as they provide the appropriate level of water quality treatment, prevent any adverse impacts upon the receiving waterbodies and are the most sustainable option.</p>   | <p>SEPA feedback is noted and will be detailed through the Design Guide.</p> <p>Transport Scotland and each of the three appointed Design Consultants will continue to work with SEPA on these issues throughout DMRB Stages 2 and 3.</p>   |
| <p>2.4 Section 3.4.7.4 Strategic Flood Risk Assessment (SFRA).</p> <p>We welcome the revised SFRA and consider this provides a good basis for considering flood risk within the A9 Design Guide. We have made a number of suggestions which could be incorporated within an updated SFRA as part of the A9 Design Guide or within the A9 Design Guide itself. Further technical comments on the SFRA can be found in Appendix 2 below.</p>   | <p>Noted with thanks.</p> <p>The SFRA and SEPA's comments will be referenced in the Design Guide; however, it is not intended to rework/ update the SFRA itself.</p>  |
| <p><b>3. Section 4 Update on PES Studies</b></p> <p>3.1 We welcome the further assessment of junctions, laybys and non-motorised user issues.</p> <p>The proposed decision support hierarchies will be key in identifying the appropriate location for these and minimising the subsequent land take and possible environmental impacts. It is not clear from the ER Addendum how these decision support hierarchies will be communicated to the design consultants. We therefore request that these are included within the A9 Design Guide.</p>  | <p>Noted with thanks.</p> <p>The decision support hierarchies form a key part of the PES DMRB Stage 1 Report and will be referenced via the Design Guide.</p>   |
| <p><b>4. Section 5 Cumulative Effects</b></p> <p>4.1 We concur with the findings of this section and agree that the site specific issues of each section would be best addressed at DMRB Stage 3.</p> <p>For the avoidance of doubt we expect all construction sediment impacts upon all watercourses to be considered at DMRB Stage 3 as well as any designated sites. This should be clear in the A9 Design Guide.</p>   | <p>SEPA feedback is noted and will be detailed through the Design Guide.</p> <p>Transport Scotland and each of the three appointed Design Consultants will continue to work with SEPA on these issues throughout DMRB Stages 2 and 3.</p>   |
| <p><b>5. Section 6 Draft Strategic Environmental Design Principles</b></p> <p>5.1 We are generally satisfied with the principles in Table 6.1 however we consider the principles could be rationalised to provide a clearer message to designers.</p> <p>Some of the principles are quite detailed and we are unclear whether this detail would be better placed within the body of the A9 Design Guide. Perhaps the best course of action would be to highlight the need to review the principles within the Post Adoption Statement and then to seek comments on the principles when seeking comments on the draft A9 Design Guide. This way readers can understand the role of the principles and how they link to the body of the text within the Design Guide. In the interim we consider following modifications should be considered.</p> | <p>SEPA feedback is noted.</p> <p>Updated Principles are presented in SEA Statement Section 5, they will also be included in the relevant Design Guide chapters.</p> <p>Transport Scotland will work with the Consultation Authorities to review the Design Guide before publication.</p> |

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment  |
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| <p><b>5.2 W3.</b></p> <p>This is a bit confusing in how it currently reads. It needs to be revised to minimise impacts upon watercourses and to promote opportunities for the restoration of watercourses. This could be through the removal of culverts and replacement with bridges or the use of bottomless/ arched provided this does not increase flood risk to sensitive receptors.</p> <p>All the factors listed in the current W3 wording somehow need to be incorporated into the A9 Design Guide but are perhaps too detailed at this higher level. We therefore suggest it reads</p> <p><i>“Avoid the diversion of watercourses and in channel works through the use of bridging solutions and bottomless/ arched culverts. Changes to hydrology should not result in increased flood risk”.</i></p> <p>It would be useful to discuss how detailed it is envisaged the design principles should be.</p> <p>For example W3 could also include references to the use of woodland and trees to enhance the water storage capacity of catchments, stabilisation of soils and minimisation of soil erosion, land-slides and sedimentation of river beds and associated impacts on fish spawning. It would be useful to discuss how best to include the original W3 list of factors and these new ones into the A9 Design Guide.</p> | <p>SEPA feedback is noted.</p> <p>Updated Strategic Environmental Design Principles are presented in SEA Statement Section 5, they will also be included in the relevant Design Guide chapters.</p> <p>Transport Scotland will work with the Consultation Authorities to review the Design Guide before publication.</p> |
| <p><b>5.3 W6.</b></p> <p>This should include an additional bullet point highlighting that water quantity aspects of SUDS should be checked with the local authority flood team.</p>   | <p>SEPA feedback is noted.</p> <p>Updated Strategic Environmental Design Principles are presented in SEA Statement Section 5, they will also be included in the relevant Design Guide chapters.</p>  |
| <p><b>5.4 W7.</b></p> <p>Section 4.12 of our <a href="#">Planning advice on Sustainable Drainage Systems (SUDS)</a> states</p> <p><i>“SUDS can be accommodated on the functional flood plain only if they do not alter floodplain storage or functionality. In some cases, a flood risk assessment may be required to demonstrate this. If a pond, for example, is placed in the flood plain it may have a bund around it to protect it from inundation.</i></p> <p><i>Compensatory flood storage would have to be provided to cover any losses in flood storage due to the bunding. If no bund is provided, then flooding is likely to reach the SUDS.</i></p> <p><i>It is important that this will occur only for situations where no other alternative arrangements are possible and not within at least the 30 year return period flood level.”</i></p> <p>Due to landscape concerns the use of bunding may have significant impacts and therefore perhaps W7 could read</p> <p><i>“Avoid SuDS features in the functional floodplain - where unavoidable these should be protected from inundation from up to the 1 in 30 year event and compensatory storage provided”.</i></p> <p>The use of alternate types SuDs devices could also help with this issue.</p>  | <p>SEPA feedback is noted.</p> <p>Updated Strategic Environmental Design Principles are presented in SEA Statement Section 5, they will also be included in the relevant Design Guide chapters.</p>  |

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment  |
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| <p><b>5.5 W8.</b></p> <p>Surface water drainage outfalls should be designed to minimise any risk of scour from the discharge to the receiving watercourse. The discharge should be of such low velocity that scour protection is not required.</p> <p>However should the receiving watercourse be designated as part of a designated site or have some other morphological sensitivity then it may be deemed that scour protection is required.</p> <p>Where scour protection is necessary then a low velocity channel or other green measure would be required prior to discharge into the watercourse. Hard engineering solutions for scour protection would not be acceptable.</p> <p>This will need to be considered during the design stages to ensure adequate space is made available for this.</p> <p>Therefore W8 could include a criteria to ensure discharges are low velocity and outfalls designed to minimise impacts upon geomorphology and sediment transport.</p> <p>In addition a criteria stating that <i>"provided it would not result in adverse impacts upon the waterbody the scope to remove disused outfalls should be assessed"</i> should be included.</p> | <p>SEPA feedback is noted.</p> <p>Updated Strategic Environmental Design Principles are presented in SEA Statement Section 5, they will also be included in the relevant Design Guide chapters.</p>  |
| <p><b>5.6 W10.</b></p> <p>Our preferences are that water bowzers are used during construction rather than abstractions and that dewatering of groundwater during the formation of cuttings is minimised. Therefore W10 should be revised to read <i>"Avoid and minimise abstractions from watercourses and groundwater"</i>.</p>  | <p>SEPA feedback is noted.</p> <p>Updated Strategic Environmental Design Principles are presented in SEA Statement Section 5 they will also be included in the relevant Design Guide chapters.</p>   |
| <p><b>6. Section 7 Signposting to Post Adoption Statement</b></p> <p><b>6.1</b> We welcome the idea of post adoption checklist to provide an audit trail through the design and environmental assessment process.</p> <p>We consider it would be useful to integrate these into the A9 Design Guide so that consultants understand the key issues on each section and to ensure the SEA process is not forgotten about. We would like to be consulted on these checklists to ensure all our issues are covered. Perhaps the SEA Post Adoption Statement could be an Appendix to the A9 Design Guide or simply just include the checklists to provide an overview of the key issues on each section.</p>   | <p>The SEA Monitoring Framework tables are discussed in SEA Statement Section 6 and attached as Appendix B.</p> <p>The current intention is to append the tables to the Design Guide, as well as making reference to the SEA Statement.</p>  |
| <b>Appendix 2: Comments on the SFRA</b>   |  |
| <p><b>1. SFRA</b></p> <p><b>1.1</b> We welcome the amendments that have been made to the SFRA following our previous letter dated 1 October 2013 and many of the issues we highlighted have been clarified.</p>   | <p>Noted with thanks.</p>  |
| <p><b>1.2</b> We are supportive of the overarching principle for flood risk management on the A9 dualling programme which is stated as <i>"avoid increasing overall flood risk in the dualling corridor and on sensitive receptors that are 'hydrologically influenced' by A9 dualling."</i></p> <p>We suggest that a further principle could be that where improvements to the existing situation could be achieved without significant cost then this should be considered.</p>   | <p>SEPA feedback is noted; however, further discussion will be required with SEPA, at the local level, should improvement opportunities be identified.</p> <p>Transport Scotland and each of the three appointed Design Consultants will continue to work with SEPA on the potential for improvement throughout DMRB Stages 2 and 3.</p> |
| <p><b>1.3</b> We are also satisfied with the strategic principles set out in the SFRA.</p> <p>The A9 dualling should not result in an increase of overall flood risk, the route should avoid functional floodplain where possible and where it cannot be avoided it should remain operational and safe for users during times of flood, result in no loss of floodplain storage, not impede water flows and not increase flood risk elsewhere.</p>  | <p>Noted with thanks.</p>  |

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback  | SEA Comment  |
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| <p>1.4 Sections 6.2.2 and 8.2 makes reference to ‘no loss of floodplain storage’.</p> <p>This is one of the most important and fundamental principles of the SFRA that requires to be upheld. However, this can only be properly achieved via like-for-like volumetric replacement (not level for level results from hydraulic modelling).</p> <p>For completeness and to provide a wider context for these principles, it would be useful for the A9 Design Guide or an updated SFRA to highlight common (at the outset) key high level issues which need to be assessed regarding highways crossing floodplains, before setting them in context within planning/ technical design guidance.</p> <p>For example</p> <ol style="list-style-type: none"> <li>1. Afflux (on a river or stream crossing) – backing up effect.</li> <li>2. Loss of flood plain storage (due to the embankment) plus flood compensation storage)</li> <li>3. Increased runoff from the highway (mitigated up to design level by Sustainable Drainage Systems)</li> <li>4. Impact of flooding on the highway (highway levels need to be higher than the flood levels)</li> <li>5. Impacts of the embankment on flood routing (including the installation of flood flow culverts beneath the embankment or increased bridge span where appropriate).</li> <li>6. Impact of the highway on flood risk generally (ensuring there is no impact to other sensitive receptors, people or property).</li> </ol> | <p>SEPA feedback is noted and will be detailed through the Design Guide.</p> |
| <p>1.5 Depending on the situation, it may be necessary to assess the hydrology (river flows), undertake flood mapping (1 dimensional and 2 dimensional), perform afflux calculations, determine the capacity requirements of culverts passing under the highway to transfer flood flow.</p> <p>The updated SFRA or A9 Design Guide needs to make it clear that the level of flood risk assessment is dependent upon the sensitive receptors present, the nature of the flood plain or watercourse at that location and what is proposed in terms of the dualling.</p>  | <p>SEPA feedback is noted and will be detailed through the Design Guide.</p> |
| <p>1.6 Section 6.5.6 refers to Flood Protection Measures.</p> <p>It should be made clear that such measures requiring ongoing maintenance to ensure effective operation to design standards. For the avoidance of doubt, it may be useful to say that they would be owned and maintained (in perpetuity) by Transport Scotland.</p>  | <p>SEPA feedback is noted and will be detailed through the Design Guide.</p> |
| <p>1.7 The SFRA is recommending that design mitigation measures should be attempting to achieve zero change in peak flow levels (i.e. neutral hydrograph) which is an objective that we support.</p> <p>We welcome any measures which, better still, can reduce peak flow levels. We would highlight that (though not reflected in the DMRB guidance) passing increased flows downstream can increase flood flow peaks and increase flood risk to the wider catchment downstream.</p> <p>Very small impacts can cumulatively have a significant effect and as such that should be considered carefully alongside the consideration of flood levels in the immediate areas along the dualling corridor.</p>   | <p>SEPA feedback is noted and will be detailed through the Design Guide.</p> |



| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback  | SEA Comment   |
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| <p>1.8 We still consider that the issues at Kingussie are more complex than the SFRA suggests.</p> <p>As identified there is the issue of properties within Kingussie potentially being placed at increased risk, either directly by changes in level on the River Spey or by an increased backwater effect to the Gynack Burn increasing risk from that source. The existing road has reduced the floodplain capacity and had geomorphological impacts on the river at the location (with the formation of the island as identified later in the report).</p> <p>Further loss of floodplain capacity has the potential not just to increase flooding to Kingussie (most likely if expansion is on the upstream side) but to increase flood risk downstream to the wider Spey catchment as a result. We acknowledge though that this is an area where more detailed assessment will be carried out.</p> <p>1.9 Related to the above is the issue of dry culverts through the raised road embankment at Kingussie.</p> <p>At an earlier meeting held in our Perth Office, we expressed concerns around the long term maintenance of such structures and their potential to block during flood events. We are not saying that they cannot also be used; however, it was recommended that the notion of providing a wider bridge span across the River Spey would be a more sustainable and reliable way of ensuring flood flow conveyance is maintained as much as possible, thus reducing flood levels in the vicinity.</p> <p>We note that this very approach is alluded to at the bottom of page 41/ top of page 42 of the SFRA and we welcome this. However, we would suggest the first sentence on page 42 should read as follows...</p> <p><i>“Widening the existing bridge crossing to increase conveyance and/ or reconnecting the floodplain via flood relief pipes/ culverts through the embankment are possible mitigation measures”.</i></p> <p>It is vital that flood risk to Kingussie from the Spey is not increased beyond existing levels. Anything that can be done to reduce the risk further would be welcomed and would conform with the auspices of the Flood Risk Management Act as well as Scottish Planning Policy.</p> | <p>SEPA feedback is noted and will be detailed through the Design Guide.</p> <p>This information will be passed to the Design Consultants appointed for the section covering the single carriageway through the Kingussie area.</p>       |
| <p>1.10 We note that it is proposed that site specific FRAs are undertaken in accordance with DMRB guidance, e.g. in section 6.2.2, page 45.</p> <p>There is also a proposal to adapt DMRB to categorise flood risk impacts in terms of change in level and numbers of properties affected. We highlight that SEPA's Technical Guidance for Stakeholders should be referred to when carrying out more detailed Flood Risk Assessments as previously discussed at the first two start up meetings with Transport Scotland and SEPA.</p> <p>This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from <a href="http://www.sepa.org.uk/flooding/planning_flooding.aspx">www.sepa.org.uk/flooding/planning_flooding.aspx</a>.</p> <p>Please note that this document should be read in conjunction with Policy 41 (Part 2).</p>   | <p>SEPA feedback is noted and will be detailed through the Design Guide.</p> <p>Transport Scotland and each of the three appointed Design Consultants will continue to work with SEPA on these issues throughout DMRB Stages 2 and 3.</p> |
| <p>1.11 Frequent reference is made to the impact of the development on flood levels in the vicinity of the development.</p> <p>As we have previously highlighted, as well as changes in flood levels, changes to the flow regime and impacts on flood hydrographs should also be included in the categorisation of impacts.</p>  | <p>SEPA feedback is noted and will be detailed through the Design Guide.</p>  |
| <p>1.12 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof.</p> <p>It is intended as advice solely to Scottish Government as Determining Authority in terms of the said Section 72 (1).</p> <p>Our briefing note entitled: <i>“Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities”</i> outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <a href="http://www.sepa.org.uk/planning/flood_risk.aspx">www.sepa.org.uk/planning/flood_risk.aspx</a></p>   | <p>Noted with thanks.</p>   |



**A9 Dualling Programme SEA Statement – Appendix A**  
**Consultation Responses to the ER Addendum**

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback  | SEA Comment  |
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| <b>Cairngorms National Park Authority</b>  |  |
| <p>A9 SEA Environmental Report Addendum: Transport Scotland A9 Dualling Programme consultation response</p> <p>We have considered the documentation for the above SEA consultation and have a number of points we would like to make. In general terms we are content that our previous points have been sufficiently covered. We welcome the greater level of detail that is now provided within the addendum, Strategic Landscape Review and the Habitats Regulations Assessment.</p>  | <p>Noted with thanks.</p>  |
| <p>We note that the response to many of our previous points is to refer these to the DMRB Stages 2 and 3 for resolution. We are content with this approach provided that the necessary management arrangements are made to ensure this happens. This is perhaps a matter the steering group should discuss.</p> <p>We are glad to see the incorporation of the design principles in to the addendum and we feel it is important to carry these forward into the design guide for consultants. This too could be discussed within the steering group.</p>   | <p>CNPA and other Consultation Authorities will continue to be engaged via mechanisms managed by Transport Scotland, such as the A9 Environmental Steering Group or via direct communication on particular issues in particular locations.</p>   |
| <p><b>Habitats Regulations Assessment</b></p> <p>The HRA is welcome as it highlights many of the issues that have concerned this authority on other sites. Though this is formally a matter for SNH we do have an issue regarding the HRA that we feel, from the experience here in the National Park, we can offer some guidance.</p>   | <p>CNPA feedback is noted and will be used to update the HRA documents.</p>  |
| <p>The HRA rightly establishes likely significant effects on the SPAs which have capercaillie as a qualifying feature. Among these is the effect from recreational disturbance upon the birds from users of the A9. The HRA identifies the location of lay-bys as being a likely cause of disturbance if they are too close to lekking sites. However we feel that there are three other closely related issues that have not yet been [addressed] adequately:</p> <ol style="list-style-type: none"> <li>1. There is variation in the period of sensitivity for capercaillie referred to. In some locations this is given at lekking (April/ May) and others April to August. It seems that the focus has mainly been upon the lekking period. However the chick rearing period – until August – has not had sufficient prominence. We feel that the impacts from disturbance are potentially as significant during the brood rearing period as during lekking and that the HRA should aim to rebalance this.</li> <li>2. The meta-population dynamics are an important feature of the ecology of the birds within the strath. The effects upon one SPA may have secondary effects upon the others. Furthermore the effects upon non designated woodlands that contain significant populations of capercaillie may also have similar secondary effects. This does not appear to have been clearly expressed within the assessment.</li> <li>3. Discussion with TS has indicated that there is likely to be an increase in traffic as a consequence of the dualling. Though this has not yet been fully modelled it may give rise to a proportionate rise in the numbers of visitors to the area. This could in turn cause a rise in the disturbance to capercaillie during both lekking and brood rearing periods. This could be at any of the areas SPAs or non-designated woodlands and considering the nature of the meta-population (above bullet point) may cause secondary affects to all.</li> </ol> <p>Possible mitigation for any LSE may be the same sort of provisions as described in the HRAs for the LDP and An Camas Mor. For example planting additional forestry as refuges for the birds in the area or awareness raising on responsible recreation through various means. We would be very happy to discuss this issue with you.</p> | <p>The HRA/ Programme-level Appropriate Assessment considered a range of capercaillie issues in the assessment tables of Appendix B:</p> <ol style="list-style-type: none"> <li>1. The HRA noted that lek sites could be nearer the A9 and outwith woodland; however, nesting sites are more likely to be within woodland and were considered as less likely to be directly influenced by A9 work.</li> <li>2. The HRA grouped all of the capercaillie related SPA woodlands as a means of recognising the ecological connectivity. Stepping stone woodlands (eg. Alvie woods) are also referenced in the assessment; however, given its proximity to the A9 and the fact that other SPA woods are on the opposite side of the A9, the assessment focused on the area around Kinveachy Forest SPA.</li> <li>3. The HRA assessed recreational disturbance associated with change related to A9 dualling, but did not specifically relate this to increasing road traffic. The HRA recommended measures on siting laybys/ stop areas outwith SPA boundaries to limit direct access opportunities; however, other visitor management measures may be required that are outwith the control of A9 dualling.</li> </ol> <p>CNPA feedback is noted and welcomed, and HRA documents will be updated appropriately in consultation with SNH.</p> |

**A9 Dualling Programme SEA Statement – Appendix A**  
**Consultation Responses to the ER Addendum**

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback   | SEA Comment   |
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| <p><b>Other HRA comments</b></p> <p>4. The LDP HRA does not appear in the list of referenced documents.<br/>Residual effects were identified within the LDP HRA for the Cairngorms Massif SPA (disturbance to golden eagle) in particular and clear reference to this would help highlight that this has been positively considered and discounted as an in combination LSE.</p> <p>5. In some sections of the mitigation the wording may not provide the required level of certainty. For example the expression that for the Cairngorms Massif SPA “consideration” will be given to lay-by location.<br/>It is suggested that a more definite wording is used such as:<br/>“Stages 2 and 3 will incorporate surveys that will inform design to ensure that (disturbance) effects are avoided”</p> <p>6. There may be an effect on sea lamprey from lighting to the road structures; for example the Spey and smaller tributary crossings.<br/>This effect may be similar as that to Salmon, i.e. light fall preventing migration to spawning sites.</p> | <p>4. The Cairngorms LDP HRA (2013) has been reviewed in response to this CNPA feedback. The LDP HRA identifies that for golden eagle in the Cairngorms Massif SPA...<br/>“There is a potential increase in disturbance from an increase in recreational usage of more remote areas.<br/>However, volumes are likely to be low given the distance and nature of the terrain.<br/>Furthermore, nesting sites on the western side of the SPA already have a line of sight to footpaths so that birds are used to recreational usage.<br/>Such small increases in recreational use mean that there is no likelihood from any settlement of a significant effect”,<br/>in terms of residual effects, the LDP HRA states that...<br/>“Minor residual effects have been identified from several settlements but in combination these were not considered likely to be significant”,<br/>concluding that...<br/>“Implementing these proposals will not have an adverse effect upon the integrity of this European Site, alone or in combination”.<br/>Given the assessment in the A9 Dualling HRA (Programme-level Appropriate Assessment Appendix B), it is considered unlikely that A9 dualling will result in an increase in visitor numbers sufficient to result in an Adverse Effect on Site Integrity.</p> <p>5. The mitigation wording in Appendix B states:<br/>“DMRB Stage 3 preferred alignment design in the area around Killiecrankie will include consideration of golden eagle, via project level bird surveys, HRA and EIA, to inform the selection of lay-bys and rest area locations to ensure no AESI on golden eagle in the Cairngorms Massif SPA”<br/>The mitigation wording was chosen in cognisance of safety standard requirements to provide laybys roughly every 2km.</p> <p>6. In recognition of CNPA feedback on potential lighting effects on sea lamprey, it is considered that the associated mitigation proposed for Atlantic Salmon will be equally relevant.<br/>CNPA feedback is noted and welcomed, and HRA documents will be updated appropriately in consultation with SNH.</p> |
| <p><b>Other points</b></p> <p>There is discussion of underpasses in several places within the SEA matrices and the HRA. However the potential for green bridges does not seem to be considered.<br/>It would seem likely that these structures offer many of the same and in some places more, advantages as underpasses.<br/>We would encourage their inclusion.<br/>We anticipate their use to be discussed more fully at DMRB stage 2 however their inclusion at this stage would provide the necessary ‘hooks’ for consistency of approach from strategic down to design level.</p>   | <p>CNPA feedback is noted and welcomed; however, as the SEA was developed within the context of a preliminary preference for the avoidance of overbridges for other reasons, green bridges were not discussed.<br/>This does not prevent their consideration at more detailed, local levels of design and environmental assessment, where ecological survey and other data support an evidence base for their inclusion as part of the assessment of the range of potential mitigation options.</p>   |

**A9 Dualling Programme SEA Statement – Appendix A**  
**Consultation Responses to the ER Addendum**

| A9 Dualling SEA Environmental Report Addendum –Consultee Feedback  | SEA Comment  |
|--|--|
| <p>We note that there are several areas where there is a moderate adverse effect identified within the SEA. For example the impact on the battlefield site at Killiecrankie and lighting at junctions in remoter areas.</p> <p>We have concern over these levels of impact however we are content that these details issues can be addressed at later stages of design. This can be done through the steering and stakeholders groups and the commitment to consultation at DMRB stage 2.</p>  | <p>Transport Scotland and each of the three appointed Design Consultants will continue to work with CNPA on these issues throughout DMRB Stages 2 and 3.</p> |
| <p><b>Access</b></p> <p>We are content that we will need to collectively consider the NMU crossing points in more detail at the DMRB stage 2. We are still concerned that the need to improve the quality and connectivity of the NCN through the provision of cycle paths alongside the A9 has not been fully acknowledged.</p> <p>We would like to see cycle paths considered along the whole route especially when the current NCN is outwith the 200 metre road corridor. To use a section as an illustration the current cycle path provision between Aviemore and Carrbridge takes a long detour through Boat of Garten.</p> <p>Clearly if we are to support active travel between the two communities there should be a more direct cycle path alongside the A9. In its current state the SEA would suggest this would not be considered at the DMRB stage.</p> | <p>Transport Scotland and each of the three appointed Design Consultants will continue to work with CNPA on these issues throughout DMRB Stages 2 and 3.</p> |
| <b>Tayside Geodiversity</b>  |  |
| <p>We were forwarded this document by Scottish Natural Heritage. We welcome the inclusion of Table 3.8 Additional geodiversity interests in the A9 corridor in Document TSSEA9/ER/02.</p> <p>We are however very concerned about some remarks in Appendix F, the Strategic Landscape Review Report. Our main objection is to the "Guidance" in section 5.7 :</p>   | <p>Comments noted with thanks.</p>   |
| <p><i>5.7 Glen Garry: Upper Glen Struan to the Wade Stone</i></p> <p><i>5.7.3 Guidance</i></p> <p><i>Retain relative openness in sections where it is appropriate and avoid small scale features. Any new rock cuttings should be part-vegetated.</i></p> <p>We strongly resist an overall policy of deliberately vegetating rock cuttings. New cuttings may reveal features of considerable scientific interest, and should at the very least be evaluated by a geologist, before any work is done to cover them up. Note that the earlier guidance from SNH recommended rock stabilisation methodology that does not lead to the loss of rock exposure, and the maintenance of access for scientific research and education.</p>   | <p>Text has been revised and updated in the latest version of the Strategic Landscape Review document.</p>   |
| <p>We also refer to section 5.4:</p> <p><i>5.4 Lower Highland Glens Pass of Birnam to Killiecrankie</i></p> <p><i>5.4.3 Guidance</i></p> <p><i>The original assessment suggests minimising the creation of cuttings and embankments, and additional signage. Explore opportunities for additional on- and off-site screening to reduce the impact of the road.</i></p> <p><i>The existing dramatic landscape experience/ narrative should be maintained and where possible enhanced.</i></p> <p><i>Pinch-points should be reinforced with cuttings and/ or dense woodland planting close to the road and views of the open straths retained/ enhanced.</i></p> <p>We would hope that dense woodland planting close to the road would not deliberately obscure any rock outcrops.</p>   | <p>Text has been revised and updated in the latest version of the Strategic Landscape Review document.</p>   |







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