A96 DUALLING
INVERNESS TO ABERDEEN

A96 Dualling Programme

Strategic Environmental Assessment
Post Adoption Statement

Appendix A - Response to Consultation Authority Comments on the Tier 1 Environmental Report

February 2016

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

Appendix A – Response to Comments on Tier 1 Environmental Report

This appendix provides a full response to comments made by the SEA Consultation Authorities in November 2014 on the Tier 1 Environmental Report

A96 Dualling SEA Scoping Report – Consultee Feedback	SEA Comment
SNH	
Scope of assessment and level of detail	
We understand that this SEA assessment is the first stage (Tier 1) of environmental assessment for the A96 Dualling Programme. The Scoping Report clarifies that Tier 1 SEA will i) sift and appraise a 'long list' of alternative transport intervention options to identify those to be taken forward to Tier 2 (Strategic Business Case - SBC), and ii) assess the broad alternative route corridors for dualling with reference to the environmental constraints and designations within each alternative (Preliminary Engineering Services - PES). Tier 2 (detailed spatial constraints/issues assessment) will be subject to a further SEA Scoping consultation in due course. This 2 stage SEA approach is welcomed, and should help provide a clearer, structured approach to assessment of route options.	Since the Scoping Report, there have been a number of changes to the proposed two-tier approach: Tier 1 SEA is now limited to the assessment of six '*strategic intervention options'*, or STAG options. These six strategic options were determined by the STAG team following their sifting of a long list of alternatives. SEA input to the long list sifting was not required; however, the Tier 1 SEA assessment now provides the environmental assessment evidence and audit trail for the STAG Appraisal, which will in turn inform the strategic business case. Tier 2 SEA will now focus on sixteen '*alternative improvement strategies'*, or PES options. Each option will be subject to a spatial constraints assessment as noted, and Tier 2 will be subject to further SEA Scoping.
We feel the assessment approach proposed is generally proportionate for this high level Tier 1, subject to our detailed comments on the baseline information and the assessment.	Noted
The comprehensive approach and clear mapping of the baseline information is supported. We welcome the intent to add to this data as required.	Noted
We request inclusion of Landscape Character Assessment (LCA) and Native Woodland Survey of Scotland (NWSS) at Tier 1.	SNH's broad LCA information has been reviewed and included in the Tier 1 SEA 15km-wide baseline study area datasets (see Section 4 and Appendix D). NWSS data have been obtained and included in the Tier 1 SEA 15km-wide baseline study area datasets (see Section 4 and Appendix D).
We recommend the PES corridor alternatives are shown on the GIS baseline constraints maps.	The PES '*improvement strategy*' options (see terminology change noted above) have not been defined as originally anticipated at the Tier 1 Scoping stage. Instead, high level schematic plans have been prepared for the PES options. An example schematic plan, showing the PES options overlaid upon SNH's broad LCA types and the Cairngorms National Park and National Scenic Area boundaries is provided in Section 7. A suitable set of constraint plans, showing the PES options, will be prepared for the Tier 2 SEA Scoping Report.
We consider landscape factors should be scoped in for Tier 1, and have recommended a level of information which we feel is proportionate at this stage. We have also provided recommendations on the proposed assessments for both the SBC and PES stages to help focus and clarify identification of significant environmental effects.	Tier 1 SEA included a review of SNH and local authority landscape character assessment reports, with GIS constraints mapping showing SNH's broad LCA types across the area between Inverness and Aberdeen. The 10 baseline study area section descriptions include the LCA types; however, no assessment of landscape sensitivity has been undertaken at Tier 1.
We welcome the early consideration of the Tier 2 assessment and request clarification of the difference between the Tier 1 outcomes and preliminary Tier 2 assessment.	Interim papers on the different methodological approaches to the STAG options and PES options assessments were prepared and submitted to the Consultation Authorities during the Tier 1 assessment process. The differences have informed the decision to completely separate the assessments and focus Tier 1 on the STAG options assessment and Tier 2 on the PES options assessment.
Where there are sensitivities which may be outwith study corridor boundaries but potentially affected by the route, the assessment should state how these are being assessed (e.g. Natura sites and landscape).	Natura site boundaries have been mapped as key constraints and the qualifying features of each site, within the 15km-wide baseline study area, are noted in Section 4. Tier 2 SEA will include HRA Screening to consider the potential for effects on these sites/ features, and others that may be ecologically or hydrologically linked, associated with shortlisted (sifted-in) PES options (to be discussed further in the Tier 2 Scoping Report). Tier 2 SEA will also further develop the strategic approach to landscape issues; however, Section 7 outlines a preliminary approach.
Consistency of approach to environmental assessment from programme to project level	
Given our experience of the environmental assessment process for the A9 corridor, we encourage consistent and integrated assessment for Tier 1 and for subsequent stages wherever possible - across the SBC, PES, and also HRA and Strategic Flood Risk Assessment, and from Tier 2 through to EIA project level. This will help ensure a more consistent and comparable assessment of environmental impacts, and transparency of process.	We agree; which is why Tier 1 SEA is now restricted to assessment of the six STAG options. This supports improved transparency in the overall process, where one set of options assessment (STAG options) is now being kept completely distinct from another set of options (PES options). Tier 2 SEA will now present the full suite of assessments undertaken for the PES options, including the HRA and SFRA, which will be provided as Appendices to the Tier 2 Environmental Report.
We recommend retention of the 10 study areas through the process where possible, and standard presentation of baseline information such as GIS datasets.	The 10 study area boundaries have been redrawn slightly since Scoping, in order to ensure they are consistent with PES and will remain fixed at Tier 2. We are conducting periodic reviews of publicly held GIS datasets to ensure we are using the most up to date versions.
Habitats Regulations Appraisal	
We recommend the finalised HRA is agreed with SNH prior to production of the Tier 2 Environmental Report (ER) to ensure the two assessments documents are consistent, and will be pleased to comment on this in advance of the ER.	Noted, we intend to hold discussions with SNH to agree the HRA approach at Tier 2, in order to ensure HRA completion prior to the Tier 2 Environmental Report.
Consultation period for the Environmental Report	
We note that the Environmental Report is proposed to be submitted in April/May 2014 and that the consultation period is to be discussed and agreed with the Consultation Authorities prior to submission. We are content with the period of 6 weeks proposed.	Completion and publication of the Tier 1 Environmental Report has been delayed until July 2014 and a 6 week consultation period is proposed.
Section 2 – Relationship with other Plans, Programmes and Strategies (PPS)	

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Section 2 of the Scoping Report provides a summary of the PPS discussed, with full review tables provided in Appendix A. We consider the list of PPS in Appendix A is comprehensive but recommend the inclusion of the following: • Landscape Character Assessments for the study area, http://www.snh.gov.uk/protecting-scotlands-nature/looking-after-landscapes/lca/ • SNH's Commissioned Report number 293, "The view from the Road." http://www.snh.gov.uk/publications-data-and-research/publications/search-the-catalogue/publication-detail/?id=1396 • Natural Heritage Futures – Landscape, especially reference to zone 9 North East Coastal Plain and zone 11 Cairngorm Massif, http://www.snh.gov.uk/docs/A337653.pdf	The suggested documents have been included in the PPS Review tables in Appendix B. PPS discussion at Tier 1 (Section 3) has been restricted to an appreciation of the changing national policy context for dualling projects; however, Tier 2 SEA will revisit the range of PPS documents collated to date. Where relevant, extracts from the documents suggested will be used to support a more detailed baseline description for the 10 study area sections at Tier 2.
2.2 Table 2	
This proposes a summary of some of the key aspects for consideration through the tiered SEA process. However, we would expect more detail to be provided as part of the scoping for Tier 2.	Although Section 3 of the Tier 1 ER focuses on the national policy context for dualling; it also includes a summary of the key aspects to be identified and included in GIS constraints mapping, which was informed by the review of the PPS Appendix B.
Landscape: add the identification and consideration of landscape character, sensitivity and capacity (Tiers 1 and 2), and map opportunities to retain and enhance landscape character and experience along the route (Tier 2).	Whilst we acknowledge SNH's concern about landscape sensitivity, we have not included any such assessment at Tier 1. We have recognised and highlighted that landscape impacts will depend on the location, type and scale of transport intervention and the relative sensitivity of the receiving landscape character types along the route. Section 7 notes that Tier 2 SEA will further consider landscape issues, presenting a preliminary approach which will be developed via Tier 2 Scoping.
3.1 Tier 1 SEA GIS and baseline data	
The preliminary GIS constraint mapping proposed for the baseline data is clear and transparent (Appendix B). We would expect the PES alternative corridor options to be shown on GIS constraints maps.	An example schematic of the PES options on a GIS landscape character type/ constraints map is provided in Section 7. Using the scale presented as an example, it may not be possible to meaningfully overlay them all on GIS constraints maps. We anticipate that Tier 2 will be able to present a smaller number of 'sifted in' options in more useful detail; however, examples will be provided with Tier 2 Scoping.
It may also be helpful to illustrate SBC interventions on GIS baseline maps where possible.	The ER notes that the options previously referred to as *'SBC options'* in the Tier 1 Scoping Report are now referred to as '*strategic intervention options'* or *'STAG Options",* and the *'SBC Appraisal'* process is now referred to as *'STAG Appraisal'.* Appendix F presents large format schematic illustrations of each STAG option, with smaller format inserts presented in assessment summary tables in Section 5. Given the scale of the schematic plans, these are not presented as overlays on the GIS constraint maps; however, the key constraints in the 15km-wide baseline study area are set out in detail in Appendices C and D (split by 10 route sections).
We would be pleased to provide early (pre-Tier 2 scoping report) advice on baseline data to be included.	Noted with thanks
Native Woodland Survey of Scotland (NWSS): The post workshop scoping note (page 11 of the Scoping Report) states that the inclusion of the NWSS datasets from FCS will be added to the constraints and GIS mapping during the ER phase. However, the note on page 22 seems to contradict this and states the dataset will only be included at Tier 2 SEA. For clarification, we would expect the NWSS to be included as part of Tier 1 assessment, and presented on the GIS Constraints maps in Appendix B.	NWSS data have been added to the Tier 1 baseline and GIS constraints mapping (see Appendices C and D). This information will continue to be used through the Tier 2 assessments.
Table 4 and Appendices B and C should be updated when all the Tier 1 GIS Constraints data is mapped.	Tier 1 ER tables and Appendices have been updated accordingly (see Section 4 and Appendices C and D).
3.3 Study areas	
We are content with the division of the route corridor into these 10 study sections.	Noted
The same sections should be retained through the Tier 2 Assessment to provide consistency of assessment.	The 10 study area boundaries have been redrawn slightly since Scoping, in order to ensure they are consistent with PES and will continue to be used at Tier 2.
Section 4 – Proposed Approach to Tier 1 Assessment	
We note that a 15km wide baseline study corridor is to be adopted for Tier 1 SEA (7.5 km on each side of the existing A96 route – page 11). Following clarification in the scoping workshop, we understand this is in relation to the SBC, and that 1 km wide study corridor boundaries are proposed for alternative route options (PES). Effects on some sites and interests such as Natura sites and landscape may extend beyond these 1 km corridors. Landscape effects for example will vary depending on topography, character and capacity of the landscape. Likewise, species and Natura sites assessment may require wider assessment areas. Care must be taken to identify these sensitivities in the assessment. We would be grateful for explanation of the rationale for these 1 km corridor boundaries, and how interests beyond these boundaries but which could be affected will be assessed.	A 15km-wide baseline study area (approximately 7.5km on each side of the existing A96 trunk road) has been adopted for the purpose of gathering appropriate datasets for both Tier 1 and Tier 2 assessments. With the exception of some parts of the Aberdeen to Inverness rail line, all Tier 1 STAG options are wholly within this 15km wide area. Tier 2 will now focus on assessing the PES *improvement strategy options*, shown in Section 7. For the initial sifting assessment of the PES options, a 1km study area has been adopted to enable GIS extracts within a consistent boundary for each option. A 1km wide study area is considered sufficiently broad to encompass a possible road option and to allow for constraints analysis within an area for which no specific route alignment has been defined at this stage. Tier 2 Scoping will explain that PES options that remain, following initial sifting assessments, will be reviewed further to consider the potential for effects, where relevant, outwith the 1km study boundary, for example, on important landscape designations and Natura sites.
The proposal to significantly narrow the study corridor section to 500-600m is noted for Tier 2 (section 3.4). However, we would prefer to reserve comment on this approach until the nature of the potential constraints is known.	Noted. Since Tier 1 Scoping, the proposal to narrow the study areas to 500-600m wide options has been removed; Tier 2 will focus on the range of PES options with 1km-wide study areas, as discussed above.
If the route corridor search areas are narrowed iteratively through the process then the reasons for this should be clearly explained and the environmental assessment provided for the route alternatives.	See above. The Tier 2 study areas for PES options will be 1km-wide.
4.3 Scoping of SEA topics at Tier 1	
We note the original intention to scope out landscape factors, but as raised in the SEA workshop, we consider this should be included in the Tier 1 assessment.	Noted, in response to SNH feedback, landscape character area types have been included within the Tier 1 approach. Section 7 explains that an indicative approach to landscape sensitivity will be discussed further with SNH during the Tier 2 Scoping process.
The post workshop note on page 15 highlights that the landscape character assessment datasets will be added to the baseline for each study section, which is welcomed.	Tier 1 now incorporates SNH's broad landscape character assessment (LCA) types across the 15km-wide study area, presented in Section 4 and Appendices C and D.

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Figure 3.2 also provides preliminary graphical representation of SNH's LCAs for the 15 km route corridor, and we suggest this baseline data is also presented for the Tier 1 PES corridor options.	The LCA dataset is shown across the region between Inverness and Aberdeen, with the Cairngorms National Park and National Scenic Area boundary also displayed, in the schematic plan for the PES options provided in Section 7.
We agree that a detailed landscape assessment is not proportionate at Tier 1. But we feel that at this stage it is still necessary to identify the different broad sensitivities/ landscape character within the SBC study corridor and PES alternative route corridors. It is likely that there will be different landscape effects arising from the proposals from the 'long list' of alternative transport intervention options. For example, full dualling will clearly have significantly different landscape effects than rail upgrades or partial dualling and town centre bypasses.	Tier 1 assessment of STAG options includes a narrative on the potential for effects on landscape character; however, this is generally limited to a recognition of the fact that landscape effects are likely to increase in line with the increasing scale of interventions, and the relative sensitivity of the receiving landscape type in different sections of the study area.
We accept that it would not be feasible to assess the effects from the different options at a landscape character assessment level. But there needs to be some narrative illustrating how these effects would need to be taken into consideration, especially at the next tier of assessment.	Section 7 explains that an indicative approach for Tier 2 to consider relative landscape sensitivity issues for the PES options which remain after initial sifting assessments will be discussed further with SNH during Tier 2 Scoping.
Similarly while there may not be substantial differences between the broad PES options in terms of landscape character along their overall lengths, it is difficult to completely scope this out in the absence of the detail of the routes of these broad corridor themselves, especially if these vary substantially from the 15km study corridor. The Natural Heritage Futures – Landscape (referenced above) may help to provide a narrative based assessment of the impact from the SBC and first tier PES.	See comments above. In response to SNH feedback, the LCA reports and Natural Heritage Futures document have been included in the PPS analysis provided in Appendix B, and will be reviewed further to inform the landscape approach at Tier 2.
Table 6 – Landscape - please add LCAs in this section. There are no National Scenic Areas (NSAs) or National Parks in the vicinity of the area to be assessed and these can be excluded.	LCAs have been added to the Tier 1 baseline data tables and constraint maps. We have retained reference to National Park and NSAs for the assessment of PES options at Tier 2 (see the schematic plan in Section 7).
4.4.1 Assessing SBC Transport Intervention Options	
We are content with the statement that each intervention option will be assessed and reported in line with the 7 point scale advocated in STAG (page 23), with appraisal commentary.	Noted, a full record of STAG options assessment, using the seven point scale and a bullet point narrative is provided in Appendix F and summarised through Section 5.
Where there is insufficient information of anticipated performance of alternative interventions this should be clearly noted in the conclusions, and an indication of how/ when an accurate assessment can be carried out.	A series of working assumptions for each option were defined in close collaboration with the STAG team and Transport Scotland, in order to provide sufficient detail to underpin a strategic level SEA. See Section 5. Further detail on full dualling options/ issues will be developed via Tier 2.
Table 7 provides a useful example of the proposed assessment table structure. The 'SBC Intervention' should be clearly described, including the location of where this will apply where possible – we recommend the use of GIS mapping if applicable. For the column "Appraisal based on environmental constraints;" we recommend the SEA topics are separately identified and discussed as for the SEA topics in Table 8 e.g. landscape, biodiversity, flora and fauna. Population and human health should also be included with these.	The format of the STAG appraisal tables which capture the findings of the environmental assessment has been developed since the template issued in the Scoping Report and these now separately identify each topic as you suggest. A schematic illustration of each STAG option and detailed appraisal tables are presented in Appendix F, with summary outputs presented in Section 5. GIS tools has been interrogated to underpin the analyses; however, the STAG options are not presented as overlays.
4.4.2 Assessing PES Alternative Route Corridors	
The PES working engineering objectives are noted and the process of assessment of route corridors against these. The Report states that "Tier 1 SEA will provide an additional level of constraints led assessment for each option to augment the PES objectives led assessment."	As noted above, the key change since Tier 1 Scoping is that assessment of PES *improvement strategies* will now be fully reported via Tier 2 SEA. Tier 2 will therefore document any changes in approach/ PES objectives (eg. there are currently six PES objectives, whereas Tier 1 Scoping noted five). PES and SEA assessments will be conducted independently before combining results.
The route shortlists are likely to be a mix of engineering and environmental solutions. For clarification, the SEA should be independent of the PES engineering assessment, and be used to identify the best fit of the route options only from an environmental perspective. The environmental assessment for each option should be presented separately from the PES objectives led assessment. However, in order to fully understand the option sieving process, it would then be helpful to cross reference to the PES engineering assessment to show the outcome of the assessment against the PES engineering objectives, and explain the cut off point for discounting some options and taking those remaining options forward. The findings of both the SEA and engineering assessment could be presented to show the overall best fit of the route and to illustrate how environmental considerations are being integrated into the planning of the route.	Noted. See comment above. PES objectives-led and SEA constraints-led assessments will be conducted independently before combining results to inform the selections of options to be removed from further consideration (sifting in/ out). An interim paper on the developing SEA/ PES methodology has been prepared and will form the basis for the Tier 2 Scoping Report.
Table 8 also provides a helpful illustration of the assessment table. This proposes a separate column for population and communities rather than including this with the other environmental constraints. This could skew the assessment as these factors should all be considered on the same basis, so we recommend this is included with all other constraints. We also recommend the insertion of a new column 'overall environmental effect' for each SEA topic and support an assessment score, as proposed, to be based on STAG. The use of the commentary in the assessment should be of sufficient detail to identify any specific issues in relation to each environmental topic, and the magnitude of environmental effects.	Noted. "Population and communities" is presented in the table with a separate column in order to include necessary settlements/population data in a concise and manageable format, it should not be read as likely to skew results. We suggest that the "Overview of Environmental Constraints" is already captured in the final column of the appraisal table headed "SEA Comment". An interim paper on the developing SEA/ PES methodology has been prepared and will form the basis for the Tier 2 Scoping Report.
We would be pleased to comment on revised versions of Tables 7 and 8 if this is helpful prior to you commencing the assessments.	Noted, with thanks.
4.4.3 Cumulative and synergistic effects	
We note that it is considered that Tier 1 will not be sufficiently detailed to accommodate assessment of cumulative effect at this stage, but that these and interactive effects will be noted where clear potential is identified. One area where there may be cumulative effects is from other possible infrastructure programmes such as overhead line development, or rail improvements alongside dualling proposals. We welcome the assessment of potential cumulative and synergistic effects where these are identified at Tier 1.	Tier 1 is now focusing on the assessment of six STAG options – two rail and four trunk road intervention options; Section 5 discusses the changing scale of trunk road options identifying that the scale of potential impacts increases with the scale of intervention. Tier 1 does not consider cumulative effects with other infrastructure programmes. Tier 2 will include consideration of cumulative/ in-combination effects for the range of PES options which remain after initial sifting assessments.
4.5 Indicative Tier 2 SEA Method	
We agree with assessment of these options being split across the 10 study sections. From the worked tables however, we assume the SEA assessment for Tier 1 is made on a corridor wide basis rather than using the staged sections.	To aid presentation of baseline datasets across such large area we divided the 15km-wide study area into 10 sections; however, even though Tier 1 assessment of each STAG option is presented on a 'full length' basis rather than staged sections, the assessments are based on the full 15km-wide datasets.

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We would expect consistent assessment of all route corridor options. Two levels of assessment are proposed for Tier 2: 1) preliminary assessment for a long list of corridor options, using a constraints process similar to Tier 1 and 2) a more detailed assessment for shortlisted corridor options.	An interim paper on the developing SEA/ PES methodology has been prepared and will form the basis for the Tier 2 Scoping Report. PES have developed a range of *alternative improvement strategies*, presented in schematic form in Section 7, PES will assess these using an objectives-led approach, whilst SEA will independently use a constraints-led approach, before bringing both assessments together to determine the initial sifting results. Tier 2 SEA will then consider shortlisted options in further detail to enhance understanding of relative constraints between options. This will bring in relevant input from the HRA and SFRA processes and may include further analysis, for example, drawing key constraints from Local Authority datasets and consideration of landscape sensitivity issues.
However, the difference between the Tier 1 and Tier 2 assessments for the Tier 2 preliminary level of assessment is unclear. We would welcome further details of the proposed development of the assessment in the Tier 1 ER, and request clarification of how this will evolve for Tier 2. Worked illustrations of the proposed assessment levels (such as tables 7 and 8) would be helpful.	Interim papers on the developing SEA/ STAG options/ PES options methodologies were prepared and issued to the Consultation Authorities in response to this comment. Following further consideration on the presentation of SEA assessments, it was decided that Tier 1 should be limited to the STAG options assessment, whilst Tier 2 should focus specifically on documenting the PES options assessment.
The report states that the Tier 2 SEA will not necessarily result in the identification of a single corridor of least constraint. However, we feel it should be possible to identify the least environmentally impacting option through the SEA process.	Following Tier 2 sifting of PES options, the shortlisted range will be assessed further (as noted above). Following consideration in HRA, SFRA and more detailed constraints analyses, it is still possible that a single preferred option cannot be identified, for example, some sifted in options may represent alternatives over short distances at specific areas along the route. Tier 2 assessments will provide a clear analysis of the relative environmental impacts of each retained option; however, it must be stated that the SEA/ PES assessments are only the first assessments in a multi-stage DMRB design and assessment process which will continue the process of options refinement and analysis.
4.6 Linked Environmental Appraisals	
It is proposed that the HRA will be undertaken at a strategic/ programme level to inform the Tier 2 SEA (page 29), and that information on Natura sites will be collated for the Tier 1 baseline.	Section 4 lists the Natura sites (and qualifying features), identified within the 15km-wide study area, which will be used to inform discussions with SNH on HRA Screening proposals during Tier 2 Scoping, for completion and submission with the Tier 2 Environmental Report.
We welcome the publication of the HRA screening report in parallel with the Tier 2 SEA scoping report, and the timing of the final HRA with the SEA ER at Tier 2. But we recommend the finalised HRA is agreed with SNH prior to production of the ER to ensure the two assessments documents are consistent. This follows experience of how the A9 HRA and SEA processes do not follow the same timescales. We would welcome the opportunity to comment on a draft HRA in advance of the ER.	Noted. We aim to discuss Tier 2 HRA Screening proposals/ approach/ timescales with SNH during the consultation period for this Tier 1 Environmental Report. We will ensure the Tier 2 HRA is completed in advance of the Tier 2 Environmental Report, allowing time for SNH comments on the draft HRA.
We refer to our comments in section 3.1 which explain that Natura sites cannot always be screened out on proximity alone. This should be taken account of in the Tier 1 assessment and we will be pleased to assist in identifying particular issues. It may also help to draw up a screening table at this early stage to assist in this process, and this could be utilised for Tier 2 assessment. We would be pleased to advise on this.	Noted. No Natura sites have been screened out from further assessment in HRA (and consideration in SEA Tier 2) on the basis of Tier 1 SEA work. Section 4 lists the Natura sites (and qualifying features), identified within the 15km-wide study area and we would welcome SNH's feedback on additional sites that may have to be considered forthcoming during discussions on the HRA approach.
Mitigation and enhancement measures	
The ER should include consideration of mitigation where adverse effects have been identified at Tier 1 stage. We recommend this is included as part of the commentary in Tables 7 and 8.	As Tier 1 now focuses on the assessment of STAG options to inform the 'Environment' criteria of the STAG Appraisal, there is no added value in considering mitigation at this stage. Tier 2 SEA will focus on sifting the PES options, and SEA will consider mitigation as appropriate to the shortlisted set of options carried through for more detailed assessment.
Monitoring is a requirement of the Act and the ER should provide further information on the monitoring programme.	Outputs of Tier 1 SEA will inform the STAG Appraisal process and, consequently, the Strategic Business Case; therefore, as Tier 1 SEA monitoring would not add value to those processes and given the two tier nature of the A96 Dualling SEA, and the further work required at Tier 2, the SEA monitoring framework will be deferred until the Tier 2 Environmental Report.
Historic Scotland	
1. Scope of assessment and level of detail	
1.1 My understanding from the Tier 1 scoping report (T1) is that the anticipated benefits of the A96 Dualling Programme will include operational performance and levels of service through reduction in journey times, improved safety for road users and reduced severance in bypassed communities.	Noted.
1.2 I note that this scoping report relates to T1 of two stages of environmental assessment for this draft Programme. I found the Scoping Report to be very clear and helpful in explaining the two tier approach to be taken and, subject to the specific comments set out below and in the Annex; I am content with the scope and level of detail proposed for the assessment.	Noted, thank you. The two-tier approach has been modified since Scoping, such that Tier 1 will now focus on the assessment of six STAG options, and Tier 2 will focus on the assessment of the PES options (described in comments above).
1.3 As you will be aware Historic Scotland have been involved in discussions with Transport Scotland on your approach to the assessment and attended a scoping workshop in December 2013 which we found very helpful in providing context and supplementary information on the draft Programme. My understanding from these discussions and the T1 scoping report is that the assessment will include assessment of Strategic Business Case (SBC) policy/ plan level assessment and very broad alternative route corridors that are part of the Preliminary Engineering Studies (PES) work stream. Tier 2 (T2) will then focus the assessment on more detailed assessment of those very broad corridor alternative route corridors that have been shortlisted as a result of the T1 assessment.	See comment above. The terminologies used have been amended such that where the Tier 1 Scoping Report referred to SBC options, these are now referred to as '*strategic intervention options*' or '*STAG options'* Tier 2 SEA will now focus on the PES assessment, referring to '*alternative improvement strategies'* or *'PES options'* rather than *'alternative route corridors*'. Tier 2 SEA will present the full assessment of PES options, including more detailed assessment of shortlisted options that remain following initial sifting assessments.
1.4 Given the very high strategic nature of this proposed T1 assessment, it will be important for it to maintain a broad overview, and consider strategic issues associated with the impacts of the draft Programme. The T1 assessment should demonstrate in broad terms a good understanding of how potential for loss of and/or damage to the historic environment from the objectives and projects that will be brought forward in the draft Programme and how these should be explored in more detail in the next phase. This will help inform the scope of the second more detailed T2 assessment and ensure subsequent assessments such as DMRB and EIA are focused on the relevant areas to identify key elements of the project that will have environmental effects for the historic environment and consider reasonable alternatives and opportunities for mitigation.	Noted. Tier 1 SEA has identified key historic environment constraints via GIS mapping across the 15km-wide baseline study area, which have been used to inform the assessment of six STAG options. Tier 2 SEA will now be better placed to document further consideration of historic environment effects, associated with shortlisted PES options, including appropriate mitigation requirements/ recommendations for later DMRB/ EIA studies.
2. Consultation period for the Environmental Report	

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2.1 I note that section 4.7 of the Tier 1 scoping report proposes a 6 week consultation period for the Tier 1 Environmental Report and am content with this.	Noted. A 6 week consultation period is still proposed for the Tier 1 SEA Environmental Report.
Please note that, for administrative purposes, Historic Scotland consider that the consultation period commences on receipt of the relevant documents by the SEA Secretariat.	Noted.
Introduction	
1. The introduction was very helpful in providing context and information on the A96 Dualling Programme and assessment.	Noted with thanks.
I note and am content with the two tier approach to assessment to be adopted.	Noted.
I note that Tier 1 (T1) will input into Scottish Transport Appraisal Guidance (STAG) base development of corridor objectives and options to support the sifting of alternatives for transport intervention options which will form part of the Strategic Business Case (SBC).	As noted above, the strategic business case will be informed by the STAG appraisal of intervention options, and the Tier 1 SEA provides the evidence and audit trail to inform the assessment of the 'Environment' criteria for the STAG process (discussed in Section 5).
Fig 1.1 gives a useful summary of how the two tier approach will be implemented and influence later stages of the draft Programme	Noted with thanks.
Policies, Plans, Strategies (PPS) Review and Appendix A	
2. I note that Section 2 and the detailed Appendix A set out a list of the relevant legislation for the historic environment and historic environment features and I am generally content that these cover all assets that we would expect to be considered during T1 (subject to comments below at paragraph 4 and 5 of this Annex).	Noted.
3. I note that Regional Level PPS such as Local Development Plans will be considered at both T1 and Tier 2 (T2) assessments and welcome this.	Local Development Plans for each unitary authority area along the A96 have been included in the PPS Review provided as Appendix B. These will be considered further, with relevant Local Authority constraints included in the more detailed assessment of shortlisted PES options, through Tier 2 SEA.
4. I found the summary of the Table 2 key aspects for SEA consideration and the key issues section for each SEA topic at Appendix A very useful.	Noted with thanks.
In Appendix A I note that Gardens and Designed Landscapes (GDL) are not included as a key aspect to be considered/ identified in each corridor but that scheduled monuments, listed buildings and Inventory battlefields are. It would be more complete in terms of key designations to be considered for T1 if GDL were also included here, as I note that the summary at Table 2 has included GDL for consideration (and local archaeology/ constraints) in terms of the SEA as a whole and that GDL are to be a key designation considered in T1 stage (i.e. Table 4 and Table 6 summaries and Appendix B (GIS constraints mapping) and C (baseline tables).	Noted. This was an oversight in the Scoping Report. GDL designations have been included in Tier 1 constraints mapping and will continue to inform the assessments at Tier 2.
5. I also note that Appendix A PPS review historic environment key issues commentary box has a commitment to identify and map designated historic features and sites. As noted above in paragraph 4, Table 2 recognises that the strategic implications of developing the draft Programme should take into account impacts on the whole of the historic environment (designated and non-designated) and therefore I am content to accept that PPS review for the historic environment at T1 SEA stage to focus on the key historic environment designations listed in Table 6. However, it would be helpful if the T1 SEA Environmental Report (ER) sets this out clearly.	Tier 1 SEA has included the historic environment designations as key constraints in GIS mapping and the assessment of STAG options. The Scoping Report for Tier 2 SEA will set out proposals for any further criteria/ baseline data proposed and we would be happy to discuss these further.
Environmental Constraints Baseline	
6. I am content with the baseline proposed for the T1 SEA subject to the comments noted above in paragraphs 4 and 5.	Noted, please see responses above.
It will also be important for the T1 SEA ER to clearly document/ signpost the requirement for additional baseline such as non-designated archaeology to ensure that this is taken forward into the more detailed T2 assessment.	We aim to discuss non-designated archaeology requirements further with you through the Tier 2 Scoping phase.
7. The use of baseline material and information from previous work such as the Scottish Transport Projects Review (STPR) for the T1 SEA ER is welcomed and will help to avoid duplication of work and ensure that the draft Programme is developed in context with other existing and emerging transport projects.	Noted with thanks.
8. Please note Historic Scotland does not hold up to date sources of data for Conservation Area boundaries; please consult the relevant local authority (Table 3 Data Sources table).	The Conservation Area boundaries dataset used in Tier 1 constraint mapping was downloaded from the Historic Scotland website (dataset version dated January 2014). We note the advice and will ensure that relevant Local Authority datasets are used to inform more detailed assessment of shortlisted PES options at Tier 2.
9. I note that the A96 route has been broken down into sections and found the GIS constraint mapping sections at Appendix B and Appendix C baseline data tables for each section very clear.	Noted with thanks.
Proposed Approach to Assessment	
10. Given the necessity to integrate the STAG Part 1-type appraisal with T1 SEA ER it will be important for the T1 SEA ER to explain and document how this will all work together and feed into the T2 SEA. I therefore found fig 4.1 to be very helpful in setting out how the T1 SEA ER will be used as a 'proxy' for the environmental component of STAG Part 1-type appraisal. I welcome this approach which will avoid duplication of work.	The integration of Tier 1 SEA assessments with the STAG appraisal process is discussed through Section 5 of the ER, and detailed assessment tables for the 'Do Minimum' scenario and each STAG option are provided in Appendices E and F.
11. Further to this it will be important for the T1 SEA ER to make clear that significant environmental effects are reported in their own right and not weighted against social or economic gains and benefits within the context of the other STAG appraisal criteria such as economy.	The STAG process does compare and contrast 'Environment' with the other criteria and Section 5 outlines how the SEA findings will be summarised in the STAG Appraisal Summary Table (AST). However, the Tier 1 SEA now focuses on the six STAG options, to provide a 'standalone' assessment of the likely environmental issues associated with each option, providing the evidence base and audit trail for the STAG 'Environment' criterion.
12. Further discussion on this in the ER and the information set out in the Post Scoping Workshop notes at section 4.4 will also be very helpful in providing context to how the T1 SEA has been undertaken and in relation to STAG appraisal and all its components and how T1 SEA findings will be used to influence the T2 more detailed SEA.	As noted above, Tier 1 SEA now provides the assessment evidence and audit trail for the STAG 'Environment' criterion. Tier 2 SEA will now focus on the assessment of PES options, to keep those separate from the STAG Appraisal process and developing business case.
13. I am content with the Table 7 and Table 8 matrix examples and welcome the use of SEA commentary and review summary boxes for recording overall environmental effect and key findings for each SBC intervention and PES alternative route corridor options.	Noted, with thanks.

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14. I welcome that a monitoring framework will form part of the T1 Post Adoption Statement. This will play a key role in ensuring that key findings of the high level strategy assessment of T1 feed into and inform the more detailed assessment of spatial elements in T2.	Outputs of Tier 1 SEA will inform the STAG Appraisal process and, consequently, the Strategic Business Case; therefore, it is considered that Tier 1 SEA monitoring would not add value to those processes. We are now proposing to defer the SEA monitoring framework and a single Post Adoption Statement until the completion of the second tier of assessment. However, Tier 2 will still include distinct Scoping and Environmental Reports, to be followed by the single monitoring framework and Post Adoption Statement.
SEPA	
General comments	
Further to meeting with you on 2 October 2013 and attending the subsequent workshop on 17 December 2013, we can confirm that the scoping report is very thorough and contains most of the elements that we would normally wish to see addressed at this stage.	Noted with thanks.
We are generally content with the scope and level of detail proposed for the ER. As explained at the meeting and workshop, there are a few detailed issues that you may wish to consider which are set out below	Noted with thanks.
It is our understanding that a two tiered approach will be adopted for this SEA to ensure that the strategic policy proposal, or plan, for dualling the A96 is assessed (at Tier 1 – high level narrative / issues assessment), and that specific corridors options and alternatives for dualling are assessed (at Tier 2 – more detailed spatial constraints / issues assessment). Due to the scale and strategic nature of the proposal, this approach is supported by us.	Noted, thank you. The two-tier approach has been modified since Scoping, such that Tier 1 will now focus on the assessment of six STAG options, and Tier 2 will focus on the assessment of the PES options (described in comments above).
1. Plans, Policies and Strategies (PPS) Review	
1.1 The list of PPS in Appendix A provides a good review of relevant plans, programmes and strategies.	Noted with thanks.
In particular we welcome reference to ensuring flood resilience, however this could be strengthened by including a statement referencing that flood risk will be avoided (not just considered), and mitigation measures (where flood risk is unavoidable). Avoiding flood risk is the first principle of sustainable flood risk management, and this should be noted by the Tier 1 SEA as a guiding principle, although we appreciate that it is not always possible given that a number of sections of the existing A96 route are (or will be) within high risk areas.	We acknowledge the point made; however, given the prevalence of flooding in some parts of the 15km-wide study corridor (for example in parts of Moray) it is unlikely that all areas of flood risk can be avoided. Therefore the Tier 1 SEA cannot make such a statement. Tier 2 SEA will be informed by a route-wide Strategic Flood Risk Assessment, which will include the principles of sustainable flood risk management and consideration of shortlisted PES options that remain following Tier 2 sifting assessments. Tier 2 SEA will be better placed to make statements on avoiding flood risk and mitigation measures for later DMRB design and assessment process.
1.2 We consider that the review is thorough and includes the relevant plans, programmes and strategies for the SEA topics within our remit.	Noted, with thanks.
Please note that since the publication of this scoping report, Aberdeen City Council and Aberdeenshire Council have both published Main Issues Reports which should also now be considered.	Local Development Plans for each unitary authority area along the A96 have now been included in the PPS Review Appendix B. These will be revisited for Tier 2 SEA.
We also ask that reference is made to the draft Scottish Planning Policy (SPP) document dated April 2013.	The SPP Consultation Draft (2013) has been included in the PPS Review Appendix B and will be revisited for Tier 2 SEA.
1.3 In addition, you should consider The Waste Management Licensing (Scotland) Regulations 2011 under soil as it has implications for the re-use of peat and soils. Any peat and soil re-use proposals will need to be for ecological benefit, otherwise they will need to be licensed under WML. Although this is more an issue for the Tier 2 SEA, we ask that reference is made within Tier 1.	The Waste Management Licensing (Scotland) Regulations (2011) have been included in the PPS Review Appendix B and will be revisited for Tier 2 SEA.
Environmental Constraints Baseline	
2.1 We understand that for the Tier 1 SEA, a 15km-wide baseline study corridor will be adopted, i.e.7.5km either side of the existing A96 route, and that Tier 2 further environmental constraints information will be added to the GIS databank. Table 3 on page 11, Appendix B (sections 1-10), and Appendix C of the scoping report provides good specific baseline data for those aspects of the environment where we have an interest. To help this work progress we make a small number of suggested additions.	Noted, please see comments below on specific points.
2.2 We welcome the consideration of both surface water courses and the 200 year fluvial and coastal extents within Table 3. Please note that as of 15 January 2014, we have produced the SEPA Flood Hazard Maps which set out updated indicative pluvial, fluvial and coastal flooding in Scotland. Table 3 (and Appendix B, Sections 1-10) should be updated to include flooding from surface (fluvial) water also.	Noted. The new SEPA flood hazard datasets have been incorporated into Tier 1 GIS mapping (see Appendix D) and have been passed to the SFRA team.
2.3 As previously mentioned, we welcome the intention to carry out a Strategic Flood Risk Assessment (SFRA). Our Strategic Flood Risk Assessment – SEPA technical to support Development Planning contains guidance relevant to this project. In addition Section 3 of SEPA's Technical Flood Risk Guidance for Stakeholders provides guidance on how to do this with Section 3.2 providing a range of relevant information sources for investigation including SEPA's Flood Hazard Maps. The Flood Hazard Maps provide an indication of the 1 in 200-year (0.5% annual probability) return period flood extent for both riverine and coastal flooding and provides a useful overview of flood risk for the area. This information could be supported and complemented by other easily derived or readily available information in relation to flood risk from Local Authorities. For example information on historical flood events or the impact of flood alleviation schemes. We also hold some historic flood information and river levels which can be request from Science.Advice@sepa.org.uk. Part of the SFRA could also be the identification of priority areas for more detailed analysis in the future. During the SFRA work you may wish to make contact with the new Local Plan District Partnerships formed under The Flood Risk Management (Scotland) Act 2009 to produce Flood Risk Management Plans. They may hold other information or benefit from the work you are undertaking.	Noted and passed to SFRA team. An SFRA Scoping Report will be prepared and provided to SEPA for comment/ feedback in advance of the Tier 2 SEA Scoping Report. We aim to complete the SFRA, with opportunities for SEPA comments in advance of the Tier 2 Environmental Report, such that the SFRA considers the shortlisted PES options and provides assessment input to the Tier 2 ER.
2.4 Section 3.3 Page 14 makes reference to the potential to improve long term road surface discharge water quality via improved drainage, which is welcomed. As you have stated, fluvial flooding is likely to be a major constraint in some areas of the route, therefore it is important that this issue is highlighted in Tier 1.	Fluvial flooding is recognised as a key constraint in some areas; however, with the changing focus from Tier 1 (STAG options) to Tier 2 (PES options), it will be considered in more detail at Tier 2. Tier 2 assessments will be further supported by the SFRA.
2.5 We are pleased to see that reference has been made to the water quality of the main rivers within Table 4 on Page 13 and Appendix C.	Noted with thanks.

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In terms of waterbody classification you may also wish to take into account the River Basin Management Planning process in the preparation of the SEA. The River Basin Management Plan (RBMP) for the Scotland River Basin District and the Area Management Plans describe environmental objectives for each waterbody to protect and improve the water environment and a Programme of Measures to progress towards achieving these environmental objectives. The draft plans can be viewed on our website. These will be important (especially for Tier 2 SEA) where watercourse crossings are proposed and where the RBMP has proposals to improve the status of the waterbody. Please note that the waterbody data on our website is the 2008 data and more up to date data is available from foi@sepa.org.uk.	The River Basin Management Plan for the Scotland River Basin District, along with plans from the North East and North Highland Area Advisory Groups have been included in the PPS Review Appendix B. These will be revisited at Tier 2 and under the SFRA.
2.6 We note that you have not included data from the wetland inventory at this stage. We recognise that the Wetland Inventory data may be of more relevance when making detailed route choices during the Tier 2 assessment stage however reference to it should also be made just now given Tier 1 forms the basis for the Tier 2 assessment.	SEPA's Wetland Inventory dataset will be included within the more detailed constraints assessment of shortlisted PES options, following initial sifting assessments at Tier 2.
2.7 We are pleased to see areas of peat and peaty soils have been mapped in Appendix B (especially in Sections 5 and 6 where there are numerous known areas of peat / peaty gleys / peaty podzol(s)).	Noted.
We do not hold any data on peat areas but suggest you might want to contact The James Hutton Institute who may hold data on peat coverage (to ensure that you have the most up to date information). The Soil Survey of Scotland 1:250 000 maps provide information on soils for the Programme area. This and other information on Scottish soils should be available from them. In addition the LandSat2007 satellite data is freely available and maybe a useful source of data. It categorises land type into categories such as forestry, urbanised and arable. This could help you to usefully screen possible routes against the land which has already been disturbed compared with ecologically sensitive habitats. Options which utilised brownfield land or land already disturbed could be scored more positively compared with routes which would disturb areas not previously developed.	The James Hutton Institute soils datasets were sourced via Transport Scotland and were used to identify peat and peaty soils in the GIS constraint mapping. We will consider the use of LandSat2007 information for the more detailed assessment of shortlisted PES options at Tier 2.
2.8 This would also help you to assess what further detailed assessments need to be undertaken at the Environmental Impact Assessment (EIA) stage. For your information at the EIA stage, we will usually expect a Phase 1 habitat survey for 100m either side of the chosen route to assess any potential impacts on wetlands. However where existing roads, housing or other types of development are within 100m of the chosen route then you would only have to survey up to the built development envelope as it will act as a buffer between the new road and any wetland areas.	Noted. EIA for a preferred route alignment would be undertaken during the DMRB Stage 3 design process; however, Tier 2 SEA will make reference to the requirements noted when discussing wetland issues.
Please note that where wetlands are identified through the Phase 1 habitat survey that we will then expect a more detailed National Vegetation Classification to be undertaken in accordance with Appendix 2 (which is also applicable to other types of developments) of our Planning guidance on windfarm developments to identify if wetlands are groundwater dependent terrestrial ecosystems. You may wish to note this in your tables setting out further work to be undertaken but we will also provide more advice on this at the EIA stage.	Noted, as above these stages are some way ahead but where relevant we currently envisage that the Tier 2 SEA ER will set out key design and mitigation expectations for future design packages.
2.9 We support the clear way in which data is presented making use of maps and diagrams. We also welcome the consideration of data gaps, difficulties and limitations of the SEA baseline.	Noted with thanks.
3. Proposed Approach to Assessment	
3.1 We note that the Tier 1 SEA will input into two key parallel workstreams: • environmental assessment input to the alternative transport intervention options being developed by the Strategic Business Case (SBC) workstream; and • environmental assessment input to the sifting of broad alternative route corridors being developed by the Preliminary Engineering Services (PES) workstream.	The two-tier approach has been modified since Scoping, such that Tier 1 will now focus on the assessment of six STAG options, and Tier 2 will focus on the assessment of the PES options (described in comments above). The terminologies used have been amended such that where the Tier 1 Scoping Report referred to SBC options, these are now referred to as '*strategic intervention options*' or '*STAG options'* Tier 2 SEA will now focus on the PES assessment, referring to '*alternative improvement strategies'* or *'PES options'* rather than *'alternative route corridors*'. Tier 2 SEA will present the full assessment of PES options, including more detailed assessment of shortlisted options that remain following initial sifting assessments. Section 5 sets out the Tier 1 assessment of six STAG options, and Section 7 signposts the Tier 2 assessment of the PES options.
3.2 We support and understand that the assessment taken for Tier 1 is high level and based primarily on an understanding of key designations and important constraints (detailed in Section 3, Appendices B and C).	
We also understand that the assessment approach has been informed by the likely level of detail on the SBC transport intervention options and PES alternative route corridor options.	
3.3 Figure 4.1 on Page 20 attempts to explain the relationship between the three work streams, however it was explained more clearly at the workshop. It was our understanding at the workshop that amendments were to be made to the Scoping Report to provide better context to the relationship between the SEA, SBC and PES, however it is not evident that this has been undertaken. We note that there is an inclusion of a post scoping workshop note on Page 23. However it is important that the Tier 1 SEA explains how the objectives within the SBC and PES that will be assessed, and inform the Tier 2 SEA, as well as SEA objectives.	In response to this and similar SNH comments, two interim papers on the developing methodologies for the STAG options and PES options assessment were issued to the Consultation Authorities, which also then informed the decision to focus Tier 1 SEA on the STAG options and Tier 2 on the PES options. It should be noted that there are no 'SEA objectives', as both Tier 1 and Tier 2 are being developed using a constraints-led approach; similarly, the SEA is not assessing the corridor (STAG) or scheme (PES) transport performance objectives.
3.4 We have no concerns with the issues that have been 'scoped out' of Tier 1 SEA.	Noted with thanks.
We would however emphasise that emphasise that Air Quality should be re-introduced at Tier 2, especially having identified two Air Quality Management Areas (AQMAs) at Aberdeen (city) and Inverurie.	Noted. We anticipate scoping air quality into the further assessments of shortlisted PES options at Tier 2. This will acknowledge any sensitive locations such as AQMAs and we will make use of traffic/demand modelling, where it is available, to inform a qualitative assessment of options in terms of relative population constraints within each option study area and available traffic modelling outputs/flows. The AQMA in Aberdeen city is not expected to be significantly affected by A96 dualling given that the stretch between Inverurie and Aberdeen is already dualled.
In addition, 'Climatic Factors' other than flood risk should be embedded within the Tier 2 SEA.	We recognise Climatic Factors are an important element of all SEAs. Tier 2 SEA will use a constraints-led approach to sift the PES options. We will discuss SEPA's requirements on Climatic Factors during Tier 2 Scoping to determine how these might be considered in the more detailed assessment of shortlisted PES options.
3.5 We note that two approaches to environmental assessment will be adopted (SBC transport intervention options and PES alternative route corridors), and the key purpose of Tier 1 SEA is to provide a robust evidence base for the environmental contributions to the options sifting processes.	See comments above on the changing focus of Tier 1 (STAG options) and Tier 2 (PES options).

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3.6 We understand that once this sifting process has been undertaken, the assessment findings will then inform the scope of the Tier 2 assessment, with the Tier 1 post adoption statement making it clear how the options were assessed. Tier 2 will then focus the assessment on more detailed assessment of the alternative route corridors that have been shortlisted as a result of the Tier 1 assessment.	Outputs of Tier 1 SEA will inform the STAG Appraisal process and, consequently, the Strategic Business Case; therefore, it is considered that Tier 1 SEA monitoring would not add value to those processes. We are now proposing to defer the SEA monitoring framework and a single Post Adoption Statement until the completion of the second tier of assessment. However, Tier 2 will still include distinct Scoping and Environmental Reports, to be followed by the single monitoring framework and Post Adoption Statement.
3.7 We note that an SFRA will be undertaken (as per Section 4.6, Page 25 of the Scoping Report and Appendix C baseline summary tables) which is welcomed (see Section 2.3 of this response for further information). This has been taken into consideration when providing the detailed comments in this response. We note that a separate request has been made by Transport Scotland to SEPA for access to flood risk information. This information is currently being collated and will be sent to you in due course.	Noted with thanks. Data received with thanks.
3.8 Guidance on assessment techniques and developing assessment methods can be found in Chapter 9 of the Scottish Government SEA Toolkit. We would recommend that enough information and justification is provided in the ER to allow the Consultation Authorities to understand how the results of the assessment were reached.	To minimise document size, the Tier 1 Environmental Report has been limited to presentation of the approach to assessment and summaries of assessment results. Full PPS review, baseline tables, GIS constraint maps and assessment tables for the 'Do Minimum' scenario and six STAG options are provided as Appendices B-F.
3.9 The proposed methodology for the assessment will be based on an innovative topic-based approach to the SEA. It is noted that evidence-based expert judgement will inform the assessment as well as other type of analysis including the use of GIS. It is also noted that the tools and techniques identified may change as the assessment is undertaken. We are content with the proposed approach provided that full justification and the rational for the assessment results are clearly detailed in the ER.	Tier 1 SEA assessment of STAG options incorporated a phased approach, beginning with baseline constraints, a Do Minimum scenario assessment to consider development in the absence of a plan and to develop a future baseline, followed by assessment of each STAG option against the future baseline. Each phase of assessment is fully documented through the supplied appendices, with results summarised through the ER text.
3.10 When it comes to providing the assessment of effects please provide enough information to clearly justify the reasons for each of the assessments presented. It would also be helpful to set out assumptions that are made during the assessment and difficulties and limitations encountered.	Full assessment detail is provided through the supplied appendices, and the assumptions applied to the assessment of STAG options are also described in the appendices and the ER text.
3.11 Generally when carrying out the assessment please refer to Sections 6.3.7 to 6.3.3.12 of the Scottish Government SEA Toolkit which outlines the proposed coverage of the issues expected.	Noted.
3.12 We would encourage you to use the assessment as a way to improve the environmental performance of individual aspects of the final option.	Noted. Tier 2 SEA will focus on sifting the PES options, with more detailed assessment of 'sifted in' options. Tier 2 will make recommendations on improving environmental performance of the resultant options being taken forward for later DMRB assessment.
Proposals for enhancement would also be supported.	Noted. Tier 2 SEA will make recommendations on mitigation and enhancement for resultant options where possible.
We would also welcome the consideration of potential cumulative and synergistic effects and the potential short, medium, long-term, temporary or permanent nature of the effects.	Noted. Tier 2 SEA will include a more detailed assessment of 'sifted in' PES options, which will include consideration of the range of parameters noted.
We would also consider that any route sections which, following the strategic flood risk assessment, have been determined to be potentially at risk of flooding to have a significant negative effect against the water environmental receptor. Any mitigation would have to be clearly in line with the requirements of Scottish Planning Policy and the principles of sustainable flood management.	Noted. Tier 2 SEA will include a more detailed assessment of 'sifted in' PES options, which will include consideration under the SFRA process. We take on board SEPA's advice on the level of significance to be applied.
3.13 The aforementioned new website www.seaguidance.org.uk includes advice and guidance on how to take air, soil and water into account, which would be useful in the development of the Tier 2 SEA. You may also wish to consider the lessons learned during the A9 SEA work and methods of assessment used for route options for that.	Noted. Tier 2 SEA will include a more detailed assessment of 'sifted in' PES options, which will be discussed further during the Tier 2 Scoping phase.
4. Mitigation	
4.1 It is our understanding that mitigation and enhancement measures will be proposed in Tier 2 and/or the ER and will follow the mitigation hierarchy (avoid, reduce, remedy or compensate). We consider that mitigation is a crucial part of SEA in that it offers an opportunity to not only address potential adverse effects of the route, but also to make the route even more positive than it already may be.	Noted. Tier 2 SEA will focus on sifting the PES options, and SEA will consider mitigation as appropriate to the shortlisted set of options carried through for more detailed assessment.
4.2 One of the most important ways to mitigate significant environmental effects identified through the assessment is to make changes to the route itself so that significant effects are avoided. The ER should therefore identify any changes made to the route as a result of the environmental assessment.	It should be understood that neither Tier 1 nor Tier 2 SEA are assessing detailed alignment/ route options. Tier 2 SEA will consider 1km-wide study areas for PES options. Theoretically, the dualled route could be anywhere within any 1km-wide zone; therefore, the SEA will make recommendations on avoidance for further consideration by later, more detailed design and assessment work through the DMRB process.
5. Monitoring	
5.1 Although not specifically required at this stage, we welcome the early consideration of monitoring requirements to be included in the ER.	Outputs of Tier 1 SEA will inform the STAG Appraisal process and, consequently, the Strategic Business Case; therefore, it is considered that Tier 1 SEA monitoring would not add value to those processes. We are now proposing to defer the SEA monitoring framework and a single Post Adoption Statement until the completion of the second tier of assessment. However, Tier 2 will still include distinct Scoping and Environmental Reports, to be followed by the single monitoring framework and Post Adoption Statement.
The chosen indicators (which will be evident in Tier 2 SEA) may need to be targeted to monitor the potential environmental effects likely to result from the proposals identified through the assessment process, and as far as possible should establish a clear link between implementation of the scheme and the identified effects to the environment. Wherever possible and appropriate, existing monitoring frameworks and indicators can be used effectively to meet the SEA monitoring requirements.	Noted. Tier 2 SEA will develop a suitable monitoring framework, tailored to the issues identified for resultant PES options.
6. Next Steps	
6.1 It is recommended that this section makes reference to Section 4.7 of the Scoping Report and Figure 4.2 on Page 26 is very useful in identifying the key stages and likely timescale.	Noted. Section 8 presents the next steps for the Tier 1 SEA in the context of the current A96 programme.
We would welcome further dialogue with Transport Scotland to agree any future appropriate timeframes.	Noted, with thanks.
Typical consultation periods usually range from 6-12 weeks. The consultation period must offer the Consultation Authorities and the public an early and effective opportunity to express views and opinions.	Noted. A 6 week consultation period is proposed for the Tier 1 ER.

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6.2 We would also find it helpful if the ER included a summary record of the scoping outcomes, and how comments from the Consultation Authorities were taken into account.	This table appendix represents our responses to Consultation Authority comments on the SEA Tier 1 Scoping Report.

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA