

A96 Dualling Programme
Strategic Environmental Assessment
Tier 2 Post Adoption Statement

Appendix B - Response to Consultation Authority Comments on
the Tier 2 Environmental Report

February 2016

Appendix B – Response to Comments on Tier 2 Environmental Report

This appendix provides a full response to comments made by a number of bodies, including the SEA Consultation Authorities, in June 2015 on the Tier 2 Environmental Report.

A96 Dualling SEA Environmental Report – Consultee Feedback	SEA Comment
SNH	
Thank you for your Environmental Report (ER) which we received through the Scottish Government SEA Gateway on 11 May 2015. We have considered this report in accordance with Section 15(2) of the Environmental Assessment (Scotland) Act 2005 and in relation to the interests within our remit. Our key comments are summarised below with detailed comments provided in the attached Annex.	Noted with thanks.
The ER is very readable and well structured, and the explanation of the preliminary environmental assessment is helpful.	Noted with thanks.
In relation to the assessment process, we maintain our overall concerns expressed at scoping stage in relation to the level of assessment (a 2km study area for each option) and resulting generic assessment and mitigation, and the stage in the route option development at which the SEA has taken place.	<p>The SEA has followed a tiered process and its value across Tier 1 and Tier 2 has been to inform the strategic business case for the A96 Dualling Programme (Tier 1), and in Tier 2 to input to the assessment and sifting of a large number of potential improvement strategy options to a much reduced number for subsequent development in the next project design and assessment stages of the work which align with DMRB Stage 2.</p> <p>The latter ('detailed assessment') part of the Tier 2 SEA focused on providing greater depth of understanding of the degree of environmental constraint in the options remaining following the first stage of options appraisal in Tier 2 SEA (see Tier 2 ER Section 5). The SEA has therefore been aligned with strategic development of the programme and a process of assessing alternatives.</p> <p>Transport Scotland identified at an early stage that 2km study areas would be used for spatially defining the improvement strategy options for environmental assessment purposes. This was necessary to ensure a sufficiently broad study area in which to consider all potential future road alignment options. Assessment of corridors at a narrower width (such as 200m width) will be undertaken as part of scheme development following all relevant engineering and environmental criteria as part of the DMRB Stage 2 process. Further detail of the DMRB Stage 2 assessment is provided in Section 6.1.1 of this SEA Post Adoption Statement.</p>
At this broad, high level of assessment we feel that the assessment has achieved as much as it can given the significant uncertainty in relation to preferred route alignment within the 2km study areas. However we remain of the view that assessment at this level is of limited value in predicting significant effects of each option, and because of the degree of uncertainty of route location, it is unable to provide meaningful assessment and mitigation in relation to significant environmental impacts.	<p>The A96 SEA is strategic in nature and the assessment method adopted (see Tier 2 ER Section 5) was defined to accommodate the broad nature of the alternatives considered whilst providing a constraints based analysis of the environmental effects of each option. The methodology of the SEA was adapted as far as possible to accommodate the consultation comments received at Tier 2 Scoping and in recognition of the requirements of the Act, but also in taking account of Section 14 of the Act which includes reference to the level of detail of the programme and the stage of the programme in the decision making process.</p> <p>The approach to assessment of the 'sifted' options remaining in the second part of the Tier 2 assessment was based on a thorough analysis of environmental constraints and prediction and evaluation of the potential for significant effects.</p>
We also have some concerns in relation to consistency and accuracy of recording. Our annexed comments made in relation to detailed assessment methodology, assessment, ancillary works, cumulative and in-combination effects and mitigation should illustrate this.	<p>A thorough review of the Tier 2 ER has been undertaken and this has confirmed that whilst there are some minor inconsistencies in the reporting within the detailed assessment matrices (appendices), correction of these would not change the key findings of the SEA and no material changes would need to be made to the assessment findings set out in the published Tier 2 ER on the potential for significant effects of the A96 Dualling Programme.</p> <p>We have identified these minor inconsistencies and any associated errata in Appendix C of this SEA Post Adoption Statement.</p>
<p>Following this SEA, we understand the remaining 4 route alternatives (Option C, D and N in combination with Option B) will be developed and assessed for environmental, engineering and economic considerations. DMRB Stage 2 will identify a preferred route option from these with development of baseline information and assessment of options in a 'Stage 2 Environmental Assessment Report', (ER, p4, Figure 2-2). The nature of the SEA's high level assessment puts significant emphasis on the subsequent environmental assessment.</p> <p>There is currently a gap between this SEA and the identification of a preferred route corridor from the 4 options and we are unclear as to the link between this SEA and subsequent environmental assessment at DMRB Stage 2.</p>	Section 6.1.1 of this SEA Post Adoption Statement provides further detail on the Environmental Assessment process at subsequent DMRB Stage 2 assessment and how this will link to and draw from the work undertaken for, and findings of, the A96 SEA.
It is for Transport Scotland as the Responsible Authority to satisfy itself that this SEA meets the requirements of the Act. Our ongoing discussions with you have been useful and we will be pleased to discuss our comments further in relation to this response if that is helpful.	Transport Scotland, on behalf of the Scottish Ministers as Responsible Authority for the A96 Dualling SEA, have reviewed the Environmental Assessment (Scotland) Act 2005, and are satisfied that all relevant requirements have been met through the SEA process and its reporting which have been adopted for the A96 Dualling Programme development.

<p>Environmental baseline (section 3) The environmental baseline is clearly presented and we particularly welcome the spatial GIS constraints mapping in Appendix E. Thank you for including additional carbon rich soils criteria for the Tier 2 assessment. Wild land: we support the capturing of this data “as an inherent part of the landscape appraisals” (Appendix A-1).</p>	<p>Noted with thanks.</p>
<p>Preliminary Environmental Assessment (section 4) Overall we are content with the conclusions for this level of assessment for sifting Parts 1 and 2. Explanation of the sifting process is helpful and we consider this a proportionate approach. We note Options E and P are discounted as the ER records (p27) that they could impact on “<i>transport of whisky and renewables,</i>” “<i>and more significant engineering, cost/deliverability, and environmental disadvantages associated with tunnelling.</i>” 4 options (B, C, D and N) were then taken forward for the more detailed assessment.</p>	<p>Noted with thanks.</p>
<p>The sifting part 1 of the preliminary assessment relies on a commentary for assessment. However it is difficult to ascertain the accuracy of this without map based baseline information for the individual options (e.g. Ordnance Survey base), rather than the schematic diagram which lacks geographical context (figure 4-1).</p>	<p>This was a printing error and the baseline OS information is shown correctly on the digital copy of the report which is presented on Transport Scotland’s website: http://www.transportscotland.gov.uk/project/a96-dualling-inverness-aberdeen/environmental-challenges</p>
<p>Detailed Assessment Methodology (section 5) Short term and synergistic effects: The ER states that these “<i>will typically not vary between options at this level of detail.</i>” (Appendix A A-2). We note that in Appendix A (A-1) your response to our earlier request for this inclusion in the Tier 2 SEA is that it is not possible to assess this since the Tier 2 assessment is a high level comparison of 2km study corridors. We agree that identification of these effects is not feasible at this level.</p>	<p>Noted with thanks.</p>
<p>Constraints analysis (5.2): Thank you for including the detailed data capture tables in the Tier 2 ER.</p>	<p>Noted.</p>
<p>Defining level of constraint and potential risk/magnitude of effect (5.3 and 5.4): Tables 5.2 and 5.3 in the ER (‘Defining level of constraint’ and ‘defining potential risk/magnitude of effects’) were provided in the worked example following scoping and we maintain our comment that we feel these were too generic. We are concerned that Table 5.2 places emphasis on avoidance of designations or features; at this high level the ability to avoid constraints is very uncertain. “<i>Natura sites which may be present/adjacent but likely to be small or in discreet locations that could be avoided within the option extent</i>” are currently recorded under ‘medium sensitivity’ but should be included under ‘high sensitivity.’ We recommend the findings in the ER are re-scored to reflect this.</p>	<p>The interpretation of sensitivity for each topic takes account of the spatial extent/ coverage of the relevant set of constraints across the 2km improvement strategy option area as well as the distribution of the important features, to inform an overall understanding by the assessor of the level of constraint and hence sensitivity of the baseline environmental conditions in each study area. Within the 2km study area there is varying potential for avoidance of these sensitivities (depending on the option specific characteristics and constraints), and as such the determination and judgement of the level of constraint in each topic was developed to take these factors into consideration. This approach allowed the SEA to provide a meaningful indication of the improvement strategy options’ respective levels of constraint and, from this, their potential for significant effects. The criteria related to Natura sites reflects this approach and as such we do not propose to re-score the Environmental Assessment. We do however recognise the potential for indirect effects on such designated areas, and that effects are not simply a function of physical proximity to/ within the boundary of the site. This was taken into account on a judgement basis within the assessments.</p>
<p>Clarification is required in the determining criteria for a ‘high’ level of constraint for landscape. Table 5.2 states that ‘<i>Features with limited capacity to accommodate change or which are already subject to pressures and degradation</i>’ could be assessed as having a high level of constraint’ and yet typically (as evidenced for the Option D assessment in the Landscape Review) landscapes which have faced pressures for change from pylon lines and other infrastructure are considered to be of lower sensitivity. The threshold for the assessment of where cumulative pressures influence landscape sensitivity needs to be clarified. Furthermore the influence of alternative and very different forms of major development (reference to Drummuies Wind Farm Section 8) on Landscape Sensitivity needs justification.</p>	<p>A unique set of criteria was developed to determine landscape sensitivity. These criteria are different from the criteria presented in Table 5.2 (p34 of Tier 2 ER) which were used in the assessment against all other SEA topics. The level of constraint criteria used to determine landscape sensitivity within the landscape review were presented in Table 5-7 (p43) of the Tier 2 ER and in Table 1 (pG-3) of Appendix G. The criteria used were developed in line with DMRB IAN135/10¹ and the determining criteria for a ‘high’ level of constraint were as follows: ‘Landscapes which by nature of their character would be unable to accommodate change of the type proposed. Typically these would be: <ul style="list-style-type: none"> • Of high quality with distinctive elements and features making a positive contribution to character and sense of place. • Likely to be designated, but the aspects which underpin such value may also be present outside designated areas, especially at the local scale. • Areas of special recognised value through use, perception or historic and cultural associations. • Likely to contain features and elements that are rare and could not be replaced.’ This set of sensitivity criteria also determined that there would be low sensitivity where landscapes are ‘comprised of some features and elements that are discordant, derelict or in decline, resulting indistinct character with little or no sense of pace.’ Our findings reflect this criteria and as you state, typically find landscapes which have faced pressures from change from pylon lines and other infrastructure to be of lower sensitivity.</p>

¹ Highways Agency (2010) Interim Advice Note 135/10: Landscape and Visual Effects Assessment

	<p>The cumulative pressures captured in the narrative for each of the segments, were assessed against the indicative landscape sensitivity criteria set out in Table 5-7 (Table 1 of the Landscape Review) and this determined their overall landscape sensitivity.</p> <p>A cumulative assessment for Option B against each of the SEA topics was undertaken and is detailed in Section 7 of the Environmental Report.</p> <p>The influence of other forms of major development such as wind farms was assessed against the same criteria presented in Table 5-7. Such developments typically change landscape character in their vicinity and this was taken into account in evaluation of the corresponding sensitivity of such areas.</p> <p>However we acknowledge that there was an inconsistent approach to the consideration of the effect of other forms of major development; this is recognised in Appendix C of this Post Adoption Statement. A review was undertaken and it is considered that there would be no change to the findings reported in the Tier 2 Environmental report as a result of this.</p>
<p>Additional Studies (5.5)</p>	
<p>Habitats Regulations Appraisal (5.5.2): We have previously advised of the need to undertake an appraisal of the potential impacts of the A96 dualling programme on protected areas, in accordance with the requirements of the Conservation (Natural Habitats, & c.) Regulations 1994 as amended (the “Habitats Regulations”).</p> <p>The ER sets out the approach to this Habitats Regulations Appraisal (HRA).</p> <p>We agree with the list of sites identified as being potentially hydrologically or ecologically connected with the option extents (table 5-4, page 38) and those scoped out from further consideration (table 5-5, page 39).</p>	<p>Noted with thanks.</p> <p>The outputs of the HRA are summarised in Table 2.1 of the Post Adoption Statement. The outputs from the AA have informed the Monitoring Framework and key mitigation measures included in this Post Adoption Statement, and will form the basis for more focussed and site specific mitigation measures as detailed design progresses.</p>
<p>Table 5-6 page 41 lists the remaining sites/qualifying interests which will be taken forward to the next stage in the HRA process. We agree with this list and understand that we will be consulted separately by Transport Scotland on the appropriate assessments carried out for these sites/qualifying interests.</p>	
<p>We welcome the intention to include the outcome of the appropriate assessment in the SEA Post Adoption Statement in order to inform the development of the dualling programme.</p>	
<p>We support Transport Scotland’s precautionary approach where HRA screening assumed that works could potentially take place anywhere within any of the Improvement Strategy Option extents and recommend that this approach is adopted for all assessments in considering impacts on all protected areas.</p>	
<p>Landscape Review (5.5.3): We welcome the production of a Landscape Review at this stage and to inform consideration of options.</p> <p>We consider the criteria included in assessing the Sections and their options, and level of detail, are broadly appropriate. However there is an overarching lack of consistency in approach and how the level of detail is applied for different sections in the Landscape Review.</p> <p>This creates confusion in understanding the key constraining issues for each section and contributes to a lack of confidence in the conclusions drawn, to the extent that for some sections we disagree with the preliminary assessment findings.</p>	<p>A thorough check has been undertaken of the Landscape Review included in the Tier 2 ER and this has confirmed that whilst there are some minor inconsistencies in the reporting within the detailed assessment matrices (appendices), no material changes would need to be made to the findings set out in the published Tier 2 ER on the potential for significant effects of the A96 Dualling Programme.</p> <p>We have identified these minor inconsistencies and any associated errata in Appendix C of this SEA Post Adoption Statement.</p>
<p>As noted previously we feel that there is considerable merit in the approach adopted, in particular the choice of criteria and level of detail sought.</p> <p>However we consider further work is required to rectify key inconsistencies and omissions; with cross checking of assessment findings for each section to ensure underpinning judgements of Sensitivity and Risk of Effect are comparable.</p>	
<p>We welcome further discussion on this aspect if it is felt of benefit to progress this work. Further SNH landscape advice is available for your consideration if that will be helpful.</p>	<p>Thank you for your support.</p> <p>Following our review of the landscape work in the Tier 2 SEA (see above) we have identified some inconsistencies and these have been addressed through the PAS process.</p> <p>However, Transport Scotland are committed to further engagement with the consultation authorities through DMRB Stage 2 and DMRB Stage 3 which will include further landscape assessment of route options.</p>
<p>Preliminary Engineering Services (PES) strategies (5.6)</p>	
<p>Assessment proposed of ancillary works such as junctions and laybys/rest areas: We note this is being considered through <i>“input to the PES strategies... inherently taking account of the potential for environmental effects from junctions... when undertaking detailed environmental assessments of the options remaining following the PES sifting... and identification of key potential impacts and mitigation measures in the ER...”</i></p> <p>We commented in our scoping response that we consider that some of the PES elements, such as junctions and laybys/rest areas, are in themselves of such a scale that they should be more fully incorporated into the SEA of the dualling project.</p> <p>We note Transport Scotland’s response in Appendix A and acknowledge that this assessment is not realistic at this high level. We note that a complete assessment of existing junctions and accesses will be undertaken during future stages of design (PEA, section 6) and an emerging Non Motorised Users (NMU) strategy is being developed as part of the engineering assessment (section 7). In terms of laybys, <i>‘a strategy has been developed to provide a consistent approach to lay-by design and location.’</i></p> <p>These assessments/strategies are outwith this SEA and it would be helpful to understand how their environmental assessment will be undertaken.</p>	<p>The SEA team provided input to the early development of these strategies and a summary of this input was provided in Table 5-8 of the Environmental Report.</p> <p>The PES strategies will be developed into more specific route options, their level of design detail increased and then further environmental assessment will be undertaken at subsequent stages of design and assessment (DMRB Stage 2).</p>

<p>ER Table 5-8: insert SEA input for all factors – “locate these areas outwith areas where increased access/use may lead to disturbance of species.”</p>	<p>At this stage in the SEA process we do not propose to make any text changes to the Environmental Report. However the PES Strategies will be developed into more specific route options, and be subject to further environmental assessment which will include consideration of effects of disturbance on species and which will draw from bespoke and route option specific ecological field work.</p>
<p>NMU: recommend specific mention consideration of all NMU not just cycling in the strategy.</p>	<p>At this stage in the SEA process we do not propose to make any text changes to the Environmental Report. The key strategy provisions included a bullet point stating ‘includes a flow chart to support decision making for NMUs based on the four categories of NMU type’. The Non-Motorised Users Strategy will be developed further at subsequent DMRB Stage 2 assessment.</p>
<p>Table 5-9: recommend mitigation specifically states avoidance of significant natural heritage interests.</p>	<p>At this stage in the SEA process we do not propose to make any text changes to the Environmental Report However the PES Strategies will be developed into more specific route options, and be subject to further environmental assessment where natural heritage interests will be key to the design iteration and assessment process. This information will be passed to the Design Consultants appointed for subsequent stages of design and assessment. SNH will be consulted on these issues through the more detailed local environmental assessments during DMRB Stages 2 and 3.</p>
<p>Scope of the assessment: We welcome the inclusion of identification and assessment of national and regional access routes under “population & human health.”</p>	<p>Noted.</p>
<p>Detailed Assessment Findings (section 6) We have some concerns below in relation to over-recording of effects for prime agricultural land, under-recording of effects on ancient woodland, and overall consistency and accuracy of recording effects. We have provided examples below and recommend rechecking and revising of the SEA commentary and scoring as required.</p>	<p>A thorough review has been undertaken and this has confirmed that whilst there are some minor inconsistencies in the reporting within the detailed assessment matrices (appendices), no material changes would need to be made to the findings set out in the published Tier 2 ER on the potential for significant effects of the A96 Dualling Programme. We have identified these minor inconsistencies and any associated errata in Appendix C of this SEA Post Adoption Statement. We have provided responses to your examples for prime agricultural land and ancient woodland below.</p>
<p>ER p48: The presentation of the findings for the options is welcomed. We note the focus of this assessment is on comparative assessment, but we support the presentation of environmental effects for each option (Appendix J and summarised in section 8 of the ER).</p>	<p>Noted with thanks.</p>
<p>Prime agricultural land (land capability to support agriculture) is included in soils and geodiversity assessment, and there are extensive areas present in the study area. However, effects on prime agricultural land are given more significant weighting in terms of level of constraint and risk of effect compared to some designated sites/features. For example Elgin B north is scored ‘significant adverse’ due to extent of prime agricultural land. Risk of effect is also scored the maximum ‘high’ effects, with the commentary stating (App J) that “<i>dualling impacts are predicted to be permanent and potentially significant at local level.</i>” We query whether this be recorded as major adverse while other ecological constraints including “<i>key areas of locally designated sites</i>” and “<i>permanent and potentially significant effects on ancient woodland</i>” are scored as ‘moderate adverse.’ We recommend these effects should be increased to ‘major adverse’ in accordance with Tables 5-2 and 5-3.</p>	<p>No weighting was employed within the assessment and instead a constraints led assessment process, based on the segment and option specific characteristics for each topic, was adopted. A range of constraints/ criteria was identified for each SEA topic (Tier 2 ER, p17-19) and these were individually assessed against the significance criteria detailed in Table 5-2 (Tier 2 ER, p34). Using these individual significance assessments, the key constraints were drawn out and overall sensitivity was allocated for each segment. The interpretation of sensitivity takes account of the spatial extent/ coverage of the range of constraints/ criteria in each topic across the 2km improvement strategy option area, as well as the distribution of the important features and designated areas. Using criteria set out in Table 5-3 of the Tier 2 ER, a collective risk of effect was identified for each segment. The risk of effect was determined by estimating the likelihood of an impact occurring, taking account of the nature of dualling proposals, the extent and type of constraints in the option area, likely opportunity to avoid impacts on receptors and the potential to mitigate likely effects (based on assessor experience of similar schemes). Using the example of Elgin B North the coverage and distribution of prime agricultural land was extensive (43.6% coverage) and unavoidable resulting in the evaluation judgement of high sensitivity and the major risk of effect. Although distribution of the locally designated sites (10.8% coverage) and ancient woodland (12.4% coverage) in the study area resulted in a high sensitivity being assigned for biodiversity, the extent of the features was not considered to fully constrain the potential for development of a dualled route through the study area, and therefore in combination with the other constraints identified, was assessed as having a moderate risk of effect.</p>
<p>Consistency of recording: There seems to be some inconsistency in the assessment between scoring of effects. The ER (p55) for Elgin B south states that “<i>the extent and distribution of ancient woodland means that in some places it is difficult to fully avoid (particularly around the eastern end of the option where it is more extensive) and impacts are predicted to be permanent and potentially significant, with possible secondary effects on woodland (including protected) species...</i>” However this is inconsistent with the commentary in Appendix J which states “<i>Significant avoidance potential for small patches of AWI (Ancient Woodland Inventory) given its limited extent in the option. Should AWI prove unavoidable, effects likely to be limited to woodland edge in small discreet locations and of a small scale.</i>”</p>	<p>There was a formatting error in Appendix J within the biodiversity row, risk of effect. This resulted in an inconsistency between the findings presented in Appendix J and the Environmental Report. A revised Appendix J has been attached as Appendix D to this SEA Post Adoption Statement.</p>

<p>Accuracy of recording: Significance of effects on biodiversity including ancient woodland is under-recorded. For example, Elgin B north (ER p 53) and south (ER p 55); we recommend biodiversity effects are recorded as 'major adverse', not 'moderate adverse' as currently stated. Likewise Option D: biodiversity effects are recorded as 'medium constraint' and 'medium risk' in the ER's summary.</p> <p>However the commentary (ER p 62) states that a key constraint is ancient/native woodland and that "Effects of dualling on unavoidable ancient woodland are predicted to be permanent and potentially significant, with possible secondary effects on woodland (including protected) species.." We feel these effects should be recorded as 'major adverse' and 'high risk', with overall 'major adverse' effects.</p>	<p>There was a formatting error in Appendix J within the biodiversity row, risk of effect. This resulted in an inconsistency between the findings presented in Appendix J and the Environmental Report. A revised Appendix J has been attached as an Appendix D to this SEA Post Adoption Statement.</p>
<p>Landscape: Option D concludes (ER p63) 'major adverse impacts' for landscape. There is significant detail of historic assets in the Landscape Review which contributes to an increase in landscape sensitivity. We recommend checking for duplication of assessment in the 'Historic Environment' topic.</p>	<p>Historic features are identified with the landscape sensitivity criteria set out in Table 5-7 of the Tier 2 ER as contributing to the overall character of a landscape and as such these were included within the assessment of landscape sensitivity.</p> <p>In general the historic environment SEA topic addressed the assessment of the features for their historic value while the Landscape Review assessed the features for their contribution to local landscape character, quality and sensitivity.</p>
<p>Ancient woodland: We query the statement that "any minor losses are not predicted to be significant" (ER, p49). As an irreplaceable resource this should be protected from adverse impacts resulting from development with avoidance as the first principle. Fragmentation of woodland through dualling could also result in significant adverse effects on habitat connectivity.</p>	<p>The interpretation of sensitivity for each topic takes account of the spatial extent/ coverage of the relevant set of constraints across the 2km improvement strategy option area as well as the distribution of the important features, to inform an overall understanding by the assessor of the level of constraint and hence sensitivity of the baseline environmental conditions in each study area.</p> <p>Within the 2km study area there is varying potential for avoidance of these sensitivities (depending on the option specific characteristics and constraints), and as such the determination and judgement of the level of constraint in each topic was developed to take these factors into consideration. This approach allowed the SEA to provide a meaningful indication of the improvement strategy options' respective levels of constraint and, from this, their potential for significant effects.</p> <p>The text within Appendix I provides the rationale behind the summary text "any minor losses are not predicted to be significant" for Forres Option B North (Tier 2 ER, p49).</p> <p>This stipulates that "should AWI prove to be unavoidable, effects likely to be limited to woodland edge in small, discrete locations and of a small scale". This is based on detail included within Appendix H showing 5.1% of the segment is covered by ancient woodland inventory sites, of which 4.6% is plantation.</p> <p>Where the assessment identified potential for fragmentation, for example Section 5 West Option B, we have highlighted where possible secondary effects on woodland including protected species may be impacted.</p>
<p>Comparative assessment of options (p73): These summaries, including the colour charts, should be updated in response to our comments in relation to the assessment process.</p> <p>We feel they have limited value and care should be taken in their use in informing route development as there are so many significant variables within the study areas depending on preferred route corridors subsequently identified and whether constraints can be avoided.</p>	<p>A thorough review of the assessment matrices and findings presented in the report has confirmed that whilst there are some minor inconsistencies in the reporting within the detailed assessment matrices (appendices), no material changes would need to be made to the findings set out in the published Tier 2 ER on the potential for significant effects of the A96 Dualling Programme. Therefore we do not propose to amend these summaries.</p> <p>The colour charts were used to provide a snapshot of the assessment findings, however these were supported by commentary text which provided further detail and explanation behind the colours presented, as it is recognised that use of the colour summary charts alone could underplay the complexity of the assessment.</p>
<p>Cumulative assessment (section 7)</p> <p>We agree that this assessment "is subject to uncertainty arising from the broad option based appraisals which have been used to inform the cumulative effects assessment, and uncertainties associated with the nature and timescales of other PPS." (ER p78).</p> <p>ER p79: Includes the statement that ... "impacts on prime agricultural land could be reduced via alternative options N and C which affect less prime land..."</p> <p>However it would be helpful to state the consequences of this for other constraints.</p> <p>No preferences for alternative routes are provided under 'Biodiversity;'(p.78). As for prime agricultural land above, it would be helpful to state if there any route options which have less impacts on biodiversity than others.</p>	<p>While the purpose of the SEA was not to identify a preferred option, the comparative assessment within Section 6.1.3 of the Environmental Report does provide a narrative where the key constraints relating to each of the options are compared to provide an indication of their respective levels of constraint, and potential for significant effects.</p> <p>Where possible within the Cumulative Assessment, route options which had more or less impact on the SEA Topic/ Receptor Group were identified, however within biodiversity there was no clear difference in potential for significant effects.</p>
<p>Predicted in-combination effects with other proposals (7.3)</p> <p>The ER states that "further consideration of the potential for in-combination effects will be undertaken during the next stages of dualling design and assessment, taking account of the high level effects and issues identified in this SEA strategic level assessment" (p85).</p> <p>We agree that it is only possible to undertake limited assessment of in-combination effects and that further consideration is needed at the next level.</p> <p>Population and human health: also consider cumulative effects of non-motorised access provision e.g. cumulative fragmentation/loss of paths, cycleways.</p>	<p>Noted.</p>
<p>Mitigation (section 8)</p> <p>Mitigation is provided in the ER as Option Specific Mitigation (e.g. p50 of the ER) and as 'key mitigation measures' for each SEA topic, along with 'strategic mitigation (Section 8, p86- of the ER</p>	<p>Noted.</p>

<p>Level of mitigation: The option specific mitigation in the ER states that “<i>where (avoidance) is not possible more detailed environmental assessment as part of the DMRB process will inform future route alignment studies and develop project specific mitigation.</i>”</p> <p>While we strongly agree the first principle should be avoidance, the location of the route could be anywhere within a broad 2km corridor.</p> <p>Hence this mitigation is too generic to be helpful in identifying specific mitigation required as it applies to all environmental constraints, and states that mitigation will be addressed at project level.</p> <p>Overall, this mitigation is not effective and cannot meaningfully be implemented in response to significant environmental effects identified in the ER. This also applies for the strategic mitigation measures set out in section 8 (ER p87).</p>	<p>The measures are typically strategic in nature, which reflects the level of appraisal for the SEA, however the key mitigation measures which could reasonably be assumed in the impact evaluation process are listed in each of the option assessment tables in Section 6 of the Environmental Report.</p> <p>The assessment has covered a large spatial area and a number of options, mitigation measures are typically of a similar nature across sections and options. Topic specific mitigation is provided in Table 8-1 the Environmental Report.</p> <p>More detailed option specific mitigation measures will be developed in subsequent DMRB Stage 2 as the design develops and in response to specific project option route alignments.</p>
<p>Insufficient mitigation for ancient woodland impacts: The ER (p63) states that “<i>mitigation of predicted biodiversity effects for loss of native woodland will need to focus on habitat creation including woodland planting using native species typical of the area.</i>” This is insufficient given that ancient woodland is by its nature irreplaceable and potential cumulative loss/loss of woodland connectivity are key considerations.</p> <p>We recommend the inclusion of our mitigation recommendations made in relation to native and ancient woodland for Transport Scotland’s A9 dualling programme SEA, including a strategic and planned approach to mitigate impacts on connectivity which may require measures beyond the route corridor.</p>	<p>The commentary on mitigation in the Table 8-1 (Tier 2 ER, p63) recognises that the loss of ancient woodland cannot be fully mitigated (given its irreplaceable nature).</p> <p>The Monitoring Framework recognises that categories 1a, 2a and 3 of Ancient Woodland (AW) are irreplaceable, and identifies further assessment and mitigation to be undertaken/adopted at DMRB Stage 2 and DMRB Stage 3 where woodland is unavoidable.</p> <p>Section 6 of this Post Adoption Statement also provides further detail on the environmental assessment to be undertaken at DMRB Stage 2 including the approach to mitigation.</p>
<p>P49; Statement that “with mitigation significant effects on SINS are not predicted.” We query the accuracy of this statement - the nature of the mitigation is not specified. ER, p88:</p>	<p>The text within Appendix I provides the rationale behind the summary text “with mitigation significant effects on SINS are not predicted” for Forres Option B North (Tier 2 ER, p49).</p> <p>This stipulates that “SINS may be difficult to avoid, however they are not extensive within the segment and dualling impacts likely to be mitigated to small scale given the total extent of their coverage”. This is based on the fact that SINS do not span the entire breadth of the segment and the detail included within Appendix H, showing that a total of 9.1% of the segment is covered by SINS.</p> <p>Part of Findhorn Valley SINS, associated with Lower Findhorn Woods (Biological) SSSI, covers 1.0% of the segment and has significant avoidance potential due to its size and location at the edge of the segment.</p> <p>Part of Culbin, Findhorn and Burghead Bay SINS, associated with Culbin Sands, Culbin Forest and Findhorn Bay (Mixed) SSSI, covers 8.1% of the segment. While the SSSI has significant avoidance potential, the SINS is more difficult to avoid as it spans more than half of the breadth of the segment, although it does not cross the entire breadth.</p> <p>Furthermore, the whole of the Culbin, Findhorn and Burghead Bay SINS site is approximately 6495Ha with only approximately 208Ha within the segment, which equates to approximately 3% of the total site area.</p> <p>Where the assessment identified areas of SINS covering the entire breadth of the segment and having the potential to affect a significant portion of the site, for example Section 4 Elgin Option B North, we have highlighted where dualling impacts are predicted to be permanent and potentially significant at the local level.</p> <p>The mitigation detailed for biodiversity in Table 8-1 (Tier 2 ER, p63) is applicable for all ecological designations, however this will be developed in more detail at DMRB Stage 2 when more detailed option design and constraints information will be available.</p>
<p>The likely requirement for a landscape strategy for later stages of DMRB design and assessment is welcomed and should encourage site specific design in response to local landscape and visual interests to reinforce distinctiveness of place.</p>	<p>Noted.</p>
<p>Summary of mitigation of cumulative effects in combination (p89): We welcome consideration of Local Development Plan (LDP) proposals to develop integrated mitigation responses to address habitat and connectivity loss at a landscape scale, and a similar approach of integrated mitigation for landscape impacts (p84). However, we are unclear how this mitigation will be achieved through the LDP and recommend the Post Adoption Statement clarifies this.</p>	<p>In clarification, we were advising that Transport Scotland would liaise with the Local Authority to ensure that the mitigation delivered through the A96 Dualling Programme aligned and integrated with Local Development Plan proposals.</p>
<p>Monitoring (8.3)</p> <p>We note the intent to provide a section based monitoring framework to capture the key constraints and issues in each of the 8 study sections. The monitoring of effects will be derived from the significant environmental effects identified through the SEA.</p> <p>However, because of the level of this assessment, we are not confident that the generic monitoring proposed will be able to act “<i>as a mechanism to ensure that the identified environmental constraints are addressed at each future design stage and used to inform the development of route alignment options</i>” (ER, p89).</p> <p>Although the principle of avoidance as the primary approach is welcomed, we query whether this constitutes monitoring.</p> <p>The framework refers to project level EIA but this should be changed to DMRB2 and 3 as applicable.</p>	<p>Noted.</p> <p>In line with your comments further development of the Monitoring Framework has been undertaken, identifying a monitoring strategy for each constraint identified through the SEA for both DMRB Stage 2 and Stage 3. This is presented as Appendix E of this Post Adoption Statement.</p>

<p>Core paths/NMU: insert reference to creation of new access links and improving NMU connectivity (ER p92).</p>	<p>This has been captured in the Monitoring Framework attached as Appendix E of this Post Adoption Statement.</p>
<p>We recommend the development of A96 strategic environmental design principles under SEA topics that can inform and be applied in route selection at DMRB stages 2 and 3. We refer to these as part of the A9 dualling ER's proposed monitoring framework. These can be applied for all parts of the route selection process including ancillary works. We will be pleased to input to these principles and recommend the finalised A9 principles form a basis for their discussion.</p>	<p>Transport Scotland will consider the development of strategic environmental design principles as suggested.</p>
<p>Next steps - Post Adoption Statement (9.4) This statement should outline how the assessment findings and the comments received at the main consultation, both on the plan and the Environmental Report, have been taken into account. The provision of the timescale of autumn 2015 for its production is welcomed.</p>	<p>This Post Adoption Statement sets out a detailed monitoring plan for later stages of the design and assessment process and this will be aligned with the later stages of the Design Manual for Roads and Bridges (DMRB) process. It also addresses how the environmental assessment, and feedback on it, has influenced the A96 Dualling Programme taking account of work undertaken through the various stages of scoping, Tier 1 SEA and Tier 2 SEA (see Section 2). It also provides further information on the proposed approach to environmental assessment of project route options at subsequent DMRB Stage 2 (see Section 6)</p>
<p>Historic Scotland</p>	
<p>Thank you for consulting Historic Scotland on the environmental report for Transport Scotland's A96 Dualling Programme, which was received by the Scottish Government's SEA Gateway on 10 May 2015. As this is a Scottish Government consultation I have reviewed the environmental report on a voluntary basis rather than our normal statutory capacity as a Consultation Authority. Please note that our view is based on our main area of interest for the historic environment.</p>	<p>Noted with thanks.</p>
<p>We welcome the continuing engagement with ourselves throughout this process and look forward to continue working with closely with you as the A96 Dualling Programme continues.</p>	<p>Transport Scotland and the appointed Design Consultants will continue to work with Historic Environment Scotland throughout subsequent DMRB Stages 2 and 3.</p>
<p>The environmental report clearly sets out the approach to the assessment and in particular we welcome the responses to the issues we raised at the scoping stage. We welcome the work carried out in developing an appropriate historic environment baseline for assessment and we also acknowledge that the high level nature of the assessment has limited your ability to assess the likely effects of the improvement strategy options to a high degree of confidence.</p>	<p>Noted with thanks.</p>
<p>Given the limitations of the assessment at this level much weight will be put on lower level assessment. Our understanding from the environmental report's outlining of the process is that there will be further detailed assessment of the improvement strategy options at the DMRB Stage 2 stage and in this context we consider that this assessment will act as a solid starting point to more detailed assessment of impacts upon historic environment. With this in mind we would wish to see greater clarity in the role and form of environment assessment going forward into the next phase. In considering the summary overview of the DMRB Stage 2 process it would be beneficial to be clearer regarding the consideration of environmental issues up to the identification of the preferred route, particularly given the acknowledged limitations of the assessment of the improvement strategy options thus far.</p>	<p>Section 6 of this Post Adoption Statement sets out in more detail the environmental assessment to be undertaken subsequent DMRB Stage 2 and Stage 3.</p>
<p>Environmental Baseline We are content that an appropriate historic environment baseline has been identified for the assessment. The inclusion of non-designated archaeology is particularly welcomed.</p>	<p>Noted with thanks.</p>
<p>Detailed Assessment Methodology The approach to the assessment is clearly explained and the splitting of the improvement strategy options into segments and sections has aided both the reporting of individual assessments and the comparison between options.</p>	<p>Noted with thanks.</p>
<p>Defining Levels of Constraint and Sensitivity This section outlines the approach taken in defining the sensitivity of option areas. In our response to the scoping for this assessment we noted that the number/density of historic environment assets does not equate to greater or lesser significance. With this in mind we welcome the assertion that the criteria has not been prescriptively applied with the ability for professional judgement being brought into the process. This is of particular importance when considering the setting of historic environment assets which, while not being defined on a constraints map, are of great importance when evaluating the sensitivity of site to significant effects.</p>	<p>Noted with thanks.</p>
<p>Defining Potential Risk / Magnitude of Effects As this section notes, the extent of the improvement strategy study areas limits the ability of the assessment to definitively assess impact magnitude and significance on the historic environment. Given the strategic nature of the assessment this is understandable and the efforts made in assessing impact potential within the study areas is welcomed. However, this puts the onus upon lower level assessments for the identification of impact magnitude and significance and defining specific mitigation which will play a key role in the consideration of the acceptability or otherwise of specific interventions.</p>	<p>Noted. Stage 2 of the DMRB process (see Section 6 of this Post Adoption Statement) will provide for the more detailed analysis of impacts and mitigation.</p>
<p>Preliminary Engineering Services Strategies The acknowledgment of the limitations on the ability to assess such interventions as junctions and laybys etc. here is noted. As a result generic strategies have been produced together with a summary of the SEA input to these. Given the key message presented for mitigation of effects within the assessment we would suggest that avoidance of historic environment assets should be included in the summary.</p>	<p>Avoidance of historic environment assets has been a guiding consideration in the SEA process. At this stage in the SEA process we are not proposing to revise the text within the Environmental Report however this will be captured in the PES Strategies as they are developed at subsequent stages of design and assessment (DMRB Stage 2 and Stage 3).</p>

<p>Detailed Assessment Findings</p> <p>In terms of the detailed assessment findings these are clearly presented and we welcome the summary discourse accompanying the reported constraint level and effect. It is clear from the extensive range of historic environment assets within the study areas that there is a high potential for significant effects on this resource regardless of which improvement strategy option is taken forward.</p> <p>Notwithstanding the concerns raised above regarding the degree to which these effects can be meaningfully predicted at this level we consider that the assessment has clearly identified a relevant historic environment baseline for the individual sections and their options.</p> <p>While the findings presented are understandably influenced by the extent of the route corridor we consider these should serve as a solid starting point for more detailed assessment. It is our understanding that all corridor options will be considered DMRB Stage 2 and would be subject to more detailed environmental assessment. However, as noted earlier in this response we would be grateful for further clarity on the form and level of the next stage of assessment.</p>	<p>Noted with thanks. Further clarification and detail of the next stage of environmental assessment is provided in Section 6 of this Post Adoption Statement.</p>
<p>Comparative Assessment of Options</p> <p>As we stated in response to the scoping for this assessment “a comparative analysis is reliant on an understanding of the specific environmental effects of each option compared”. In light of our comments above regarding the detailed assessment findings we welcome the acknowledgment in this section of the limitations of this process regarding recommendations for further sifting.</p>	<p>Noted.</p>
<p>Cumulative Assessment</p> <p>We note the uncertainties referred to in relation to cumulative and in-combination effects and welcome that pressures have been identified for the historic environment. While these are understandably generic at this stage we particularly welcome the consideration given to the impact that housing allocations may have in limiting route options.</p>	<p>Noted.</p>
<p>Mitigation</p> <p>The mitigation strategy (both Option Specific and Strategic) is generic in nature due to the high-level of assessment.</p> <p>While it is welcomed that avoidance of effect on historic environment structures and their setting is top of the mitigation hierarchy this again puts the onus upon lower level assessment to bring forward specific mitigation for the impacts identified at that level. Given the approach taken in this assessment it is important to recognize that the mitigation strategy put forward at this level may be limited by decisions made at the lower level.</p>	<p>The mitigation proposed at this stage was to provide a strategic and topic based list which will be used to guide more specific mitigation measures as the design develops in DMRB Stage 2.</p> <p>Section 6 of the Post Adoption Statement provides further detail on the environmental assessment to be undertaken at subsequent DMRB Stage 2 including the approach to mitigation.</p>
<p>Monitoring Framework</p> <p>We welcome that the principle of avoidance is to be considered in preliminary route alignment option development.</p> <p>However, as much of the detailed assessment for the historic environment is based on the potential to avoid impacts it is important to remember that significant effects may not have been recorded in the detailed assessment as there was considered to be a high level of potential for avoidance.</p> <p>However, as you will be aware, this is an assumption on likelihood and may not be reflected as a preferred route emerges. In lights of this the monitoring framework should seek to proactively manage significant effects that may emerge in finer grain assessment.</p>	<p>Further development of the Monitoring Framework has been undertaken. The framework sets out a monitoring strategy for each constraint identified through the SEA for both subsequent DMRB Stage 2 and Stage 3. This is presented as Appendix E of this Post Adoption Statement.</p>
<p>Post Adoption Statement</p> <p>We welcome that a Post Adoption Statement will be produced and we would expect the statement to address the issues raised in this response and to set out further detail on the approach to monitoring.</p>	<p>A full Monitoring Framework is provided as Appendix E of this Post Adoption Statement. This sets out the approach to monitoring for each of the constraints identified through subsequent DMRB Stage 2 and Stage 3.</p>
<p>SEPA</p>	
<p>Thank you for your Environmental Report (ER) consultation submitted under the above Act in respect of the A96 Dualling Inverness to Aberdeen Tier 2. This was received by SEPA via the Scottish Government SEA Gateway on 11 May 2015.</p>	<p>Noted.</p>
<p>We have used our scoping consultation response to consider the adequacy of the ER and this is used as the framework for detailed comments which can be found in Appendix 1. For convenience, these comments have been structured to reflect that of the ER. Please note, this response is in regard only to the adequacy and accuracy of the ER and any comments we may have on the A96 Dualling Programme itself will be provided separately.</p>	<p>Noted.</p>
<p>As the A96 Dualling Programme is finalised, Transport Scotland as Responsible Authority, will be required to take account of the findings of the Environmental Report and of views expressed upon it during this consultation period. As soon as reasonably practical after the adoption of the plan, the Responsible Authority should publish a statement setting out how this has occurred. We normally expect this to be in the form of an "SEA Statement" similar to that advocated in the Scottish Government SEA Guidance. A copy of the SEA statement should be sent to the Consultation Authorities via the Scottish Government SEA Gateway on publication.</p>	<p>Noted.</p>
<p>General comments</p> <p>As highlighted above, we have used our scoping consultation response to consider the adequacy of the ER and as such we found Appendix A – <i>Response to Consultation Authority Comments</i> very helpful and thank CH2M HILL for producing this. We are generally satisfied with the content and conclusions of the ER.</p>	<p>Noted with thanks.</p>
<p>We note “that the improvement strategy options do not represent specific corridors or route alignments” and that “these will be developed further as the design work is progressed.” As such some of our comments below have been provided to assist the applicant as further route specific assessments are undertaken as the project progresses to the Environmental Impact Stage.</p>	<p>Noted.</p>

<p>Detailed comments</p> <p>1. SEA Criteria</p> <p>We note that under Table 3-4 SEA Tier 2 Constraint Data reference to the “Wetland Inventory” has been removed since the scoping report. At the Environmental Impact Stage it will be important to carry out Phase 1 Habitat Surveys, National Vegetation Surveys and site specific assessments to identify impacts upon wetlands include peat.</p>	<p>Noted.</p> <p>These assessments will be undertaken where required at DMRB Stage 3, based on detailed desktop analysis of ecological constraints carried out during subsequent DMRB Stage 2 assessments.</p>
<p>2. Detailed Assessment Findings</p> <p>2.1 Further to our advice on the Strategic Flood Risk Assessment (SFRA) in our correspondence of 23 March 2015 (our reference PCS/138780), that options B North in both sections 3 and 4 (potential bypasses north of Forres and Elgin) should be avoided as they involve crossing extensive areas of flood plain at such a scale that impacts would be extremely difficult to adequately mitigate the effects of, we welcome the assessment of Water and Flooding for this option as High and recognition that “Flooding is a key constraint in this option area”.</p>	<p>Noted.</p>
<p>2.2 We note that for example under Option C carbon rich soils have been identified as a constraint on site. Where this is the case mitigation through avoidance has been proposed as Option Specific Mitigation, which we fully welcome.</p> <p>However there may be instances where avoidance is not possible and therefore consideration will need to be given to appropriate re-use or disposal options. As such appropriate re-use should also be considered within the Option Specific Mitigation for example Option C. As detailed in Section 8.2 of the report we welcome the requirement for further surveys to inform appropriate solutions in regard to this issue for Option B.</p>	<p>As route options are developed in more specific detail at subsequent DMRB Stage 2, mitigation will be adapted to be more specific. Recommendation will be made at this time to the appropriate re-use or disposal options.</p> <p>Section 6 of the Post Adoption Statement provides further detail on the environmental assessment to be undertaken at DMRB Stage 2, including the approach to mitigation and an updated mitigation table.</p>
<p>2.3 We welcome forestry areas being identified as a constraint within example Option C, the principle of avoidance as an Option Specific Mitigation Measure and where avoidance is not possible more detailed environmental assessment being undertaken as part of the DMRB process. Felling to waste, where the waste generated by the process will be managed by techniques such as chipping, mulching or spreading, has become an increasing concern for us on other development and therefore will need to be given further consideration as the proposals progress. We would take this opportunity to refer you to our Guidance - Management of Forestry Waste.</p>	<p>Noted. This will be considered and mitigation measures developed at subsequent DMRB Stage 2.</p> <p>Section 6 of the Post Adoption Statement provides further detail on the environmental assessment to be undertaken at DMRB Stage 2, including the approach to mitigation and an updated mitigation table.</p>
<p>3. Mitigation & Monitoring</p> <p>3.1 In regard to soil constraints we note a Key Mitigation Measure is “adherence to construction best practice to avoid adverse effects on soils such as from contamination”. Further to our previous recommendation that whether any corridors involve more cuttings than others be investigated, consideration will also need to be given to this in regard to appropriate reuse of waste soil.</p> <p>As more detailed environmental assessments are undertaken as part of the DMRB process, consideration for example of measures to prevent the spread of non native invasive species from soil taken from close to watercourses will need to be made.</p>	<p>Noted. This will be considered and mitigation measures developed at subsequent DMRB Stage 2 regarding appropriate use of waste soil.</p> <p>Section 6 of the Post Adoption Statement provides further detail on the environmental assessment to be undertaken at DMRB Stage 2, including the approach to mitigation and an updated mitigation table.</p>
<p>4. Consultation Feedback</p> <p>4.1 We note that “a record of feedback and how it has been taken into consideration will be documented in the SEA Post Adoption Statement.”</p>	<p>Noted.</p>
<p>Forestry Commission</p>	
<p>Thank you for the opportunity to comment on the proposals for the dualling of the A96 Aberdeen to Inverness trunk road.</p> <p>These comments are by Moray and Aberdeenshire Forest District (M&AFD) part of Forest Enterprise Scotland an agency of the Forestry Commission charged with managing the National Forest Estate.</p>	<p>Noted.</p>
<p>These comments are made within the context of current government planning and forest policy which includes</p> <ul style="list-style-type: none"> • A strong presumption against development in woodland, especially ancient woodland that will result in its loss. • The Policy on the Control of Woodland Removal which includes: <ul style="list-style-type: none"> ○ a strong presumption in favour of protecting Scotland's woodland resources; ○ Woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits where an appropriate proposal for compensatory planting may form part of this balance. 	<p>Noted.</p>
<p>The Preliminary Engineering Assessment and associated Strategic Environmental Assessment indicate that new/improved A96 will be constructed within one of 4 route corridors currently being considered. The 4 route corridors being considered are:</p> <ul style="list-style-type: none"> • Option B: Existing A96 Corridor with offline bypasses around Inverurie, Keith, Elgin and Forres. • Option C: Offline corridor from Blackburn and Huntly on the south side of the existing A96 corridor. • Option D: Offline corridor from north-west of Inverurie to the Glens of Foudland on the north side of the existing A96 corridor. • Option N: Offline corridor from south of Fochabers to the west of Forres on the south side of the existing A96 corridor. 	<p>Noted.</p>
<p>All the options being considered include within their indicative corridors blocks of woodland/forest managed by FCS. It is at this scoping stage too early to identify the implications either positive or negative in relation to these woodlands pending discussion and determination of the final line of the road. Consequently this letter is intended to identify the context of the forest blocks as a contribution to consideration of the route and thereafter as a precursor to more detailed discussion as the proposals consolidate.</p>	<p>Noted with thanks.</p> <p>Transport Scotland are committed to engagement with key consultees including the Forestry Commission Scotland during subsequent stages for design and assessment.</p>

<p>The overarching principles in relation to the NFE are:</p> <ul style="list-style-type: none"> • Minimise the loss of the NFE to the new/improved road. • Avoid the loss of ancient woodland. • Where ever practical avoid isolating small areas of woodland from the rest of the forest block. • Where ever practical maintain connectivity, especially from an ecological, forest operational and recreational perspective. • Provide compensatory woodland planting where NFE woodland is lost to the road. 	<p>Noted.</p>
<p>Starting from the Aberdeen end of the A96 NFE woodlands that are close to or in the corridors being considered include:</p>	<p>This information is welcomed and will be considered and incorporated into the assessment at subsequent stages of design and development (DMRB Stage 2).</p>
<ul style="list-style-type: none"> • Kirkhill Forest - this forest is in the Option B route corridor and is likely to be affected if there are changes to the A96/8979 junction. This forest block is an important recreation site with a forest car park directly accessing onto the dual carriageway from the north side of the road. M&AFD Christmas tree sales centre is located just south of the A96 and accessed along the B979 - this generates significant traffic on the run up to Christmas each year. Much of this forest block is listed in the ancient woodland inventory (AWI). 	
<ul style="list-style-type: none"> • Kenmay Woods - this consists of a number of small woodland blocks that are in the Option B (southern Inverurie bypass) and Option C Corridors. Roquhold Wood is listed in the AWI as are parts of a number of other NFE woods in the locality - the final road line could possibly avoid the NFE woodlands and stay within relevant option corridor. There are a number of other non NFE woodlands listed in the AWI in this area. 	
<ul style="list-style-type: none"> • Pitcaple Wood - this woodland is located next to the Inverramsey Bridge and appears to be Option D corridor. This woodland is well used by the local population for informal recreation and much of it is listed in the AWI 	
<ul style="list-style-type: none"> • Bennachie - this forest block is within the Option C study corridor. Bennachie is a heavily used for recreation with a Council run visitor centre, a number of FCS car parks and way marked trails. The forest block also has a lot of archaeology and is of significant historic interest. Much of the forest area is listed in the AWI 	
<ul style="list-style-type: none"> • Gartly Moor - this forest block straddles Option C study corridor also within the Option B study corridor. This woodland is well used by the local population for informal recreation and includes a car park and way marked trails. 	
<ul style="list-style-type: none"> • Upper Tullochbeg (& Mains of Ittingstone) - this area includes a starter farm and is within both the Option C and Option B study corridors. This site is part of a Scottish Government supported initiative to provide opportunities for young people to get into farming. 	
<ul style="list-style-type: none"> • Bin Forest - this forest block straddles the Option B study corridor. This woodland is well used by the local population for informal recreation and includes a car park and way marked trails. Most of the forest area is listed in the AWI 	
<ul style="list-style-type: none"> • Dunbennan - this forest block is within the Option B study corridor. Much of the forest area is listed in the AWI 	
<ul style="list-style-type: none"> • Balloch - this forest block is within the Option B study corridor. This woodland is well used by the local population for informal recreation and includes a car park and way marked trails. 	
<ul style="list-style-type: none"> • Cairds Wood - this woodland is within the Option B study corridor. Most of this woodland area is listed in the AWI 	
<ul style="list-style-type: none"> • Whiteash - this large forest block is within the Option B and the Option N study corridors. This forest area includes promoted and way marked mountain bike and walking trails that are well used by the local population and visitors to the area. Most of this woodland area is listed in the AWI 	
<ul style="list-style-type: none"> • Wood of Ordiquish - this large forest block is within the Option B and the Option N study corridors. This forest area includes promoted and way marked mountain bike and walking trails that are well used by the local population and visitors to the area. Most of this woodland area is listed in the AWI 	
<ul style="list-style-type: none"> • Teinland - This forest block, with its outliers, straddle the Option N study corridor. This forest is well used by the local population. Most of this woodland area is listed in the AWI 	
<ul style="list-style-type: none"> • Balnacoul Wood - This woodland is within the Option B study corridor. This forest is well used by the local population. Most of this woodland area is listed in the AWI. 	
<ul style="list-style-type: none"> • Castle Hill Wood - This woodland is within the Option B study corridor. This forest is well used by the local population. Most of this woodland area is listed in the AWI. 	
<ul style="list-style-type: none"> • Newton Nursery - This forest tree nursery is almost completely within the Option B (Elgin Northern Bypass) study corridor. This is an important site for the propagation of forest trees. 	
<ul style="list-style-type: none"> • Monaughty - This forest block is within the Option N study corridor. This forest is well used by the local population. Most of this woodland area is listed in the AWL. Most of this woodland area is listed in the AWI. 	
<ul style="list-style-type: none"> • Newtyle - This forest block is within the Option N study corridor. This forest is well used by the local population. Most of this woodland area is listed in the AWI. 	
<ul style="list-style-type: none"> • Inshoch Wood - This woodland is within the Option B study corridor. 	
<ul style="list-style-type: none"> • Hardmuir Wood - This woodland is within the Option B study corridor. Most of this woodland area is listed in the AWI. 	

<p>Please find enclosed indicative map outlining the National Forest Estate relevant to the outline proposals which we hope will be of use to you. We look forward to engaging with you in due course as this proposal M&AFD progresses.</p>	<p>Noted with thanks. Transport Scotland are committed to engagement with key consultees including the Forestry Commission Scotland during subsequent stages for design and assessment.</p>
<p>British Horse Society</p>	
<p>I am contacting you on behalf of our members to say in the strongest terms how much the British horse Society opposes option C as a re route for the A96 eastern section from East of Huntly to the junction on the AWPR – on the basis that we have so many horse riders in that area and the destruction of their cherished off road hacking would be immense. Riders in and around Chapel of Garioch, Oyne, Inch, Largie and Blackburn are really anxious and have contacted us for our support.</p>	<p>The early work we have been taking forward on the A96 Dualling is equivalent to a DMRB Stage 1 Assessment which is a preliminary assessment and involves a broad, strategic approach to developing and assessing indicative improvement strategies to allow the identification and consideration of the environmental, engineering, traffic and economic advantages, disadvantages and constraints associated with the improvement strategies.</p>
<p>We do appreciate that engineering constraints may make it necessary to re route the dualled road, we also appreciate that the A96 needs to be dualled for safety and transport reasons. We value our good relationship with Transport Scotland and the BHS is here to help find solutions, but we do have to voice our members concerns. I know you have met a lot of opposition to section C on aesthetic grounds, but we are concerned with safe off road horse riding, indeed all multi-use access to the countryside in this area.</p>	<p>Improvement strategies are different high level approaches to providing a dual carriageway between Inverness and Aberdeen, for example a bypass north or south of towns along the existing A96. It is important to note that the improvement strategy options as displayed on the maps at the recent public exhibitions do not represent specific corridors or route alignments. Route options will only be developed at the next stage of the design process which is the route options assessment stage (DMRB Stage 2). This was made clear in the material available at the recent exhibitions.</p>
<p>We appreciate the engagement you have with us in your NMU strategy, but I have to flag up that we feel this re-route proposal would be a real blow to a large community of Aberdeenshire horse riders.</p>	<p>In order to understand the constraints to the A96 Dualling Programme, a thorough review of the existing corridor has been undertaken to identify the present engineering, environmental, traffic and economic features to provide an understanding of how the Dualling Programme may positively or negatively impact these features. Transport Scotland has also undertaken a Strategic Environmental Assessment (SEA) to assess the route-wide constraints, issues and opportunities for dualling the A96.</p>
<p>I hope you take our views into consideration while looking at the options and I hope you continue to take the needs of horse riders and all NMU interest groups into all your decision making. Please keep me informed on this option and also detailed proposals to re-route. If you want to meet local riders we can arrange that.</p>	<p>Environmental constraints including pathways for NMU's were identified and assessed in the early work we have been progressing.</p> <p>The outputs from the preliminary engineering and strategic environmental assessment work, along with all comments received (including those from British Horse Society), will inform the subsequent stages of development which is the route options assessment process (i.e. DMRB Stage 2 assessment). During the next stage of development route options will be developed and assessed. This will include an engineering, environmental, traffic and economic assessment of the potential impacts of each option to inform a preferred option choice.</p>
<p>Aberdeenshire Council</p>	
<p>Outdoor Access Officer: The data in your large scale plans of the possible routes presents data titled "core paths" which are not the Council's adopted core paths. It appears you have a data set which includes the "wider path network" which has been mistakenly interpreted as core paths. Please review the data and if you cannot distinguish between core paths and wider path network we can arrange for a new data set to be forwarded.</p>	<p>Core path data was specifically requested from Aberdeenshire Council Infrastructure Services GIS team, data received in April 2014 was labelled 'core paths' and was used as such in good faith. At subsequent stages of design and assessment the data will be reviewed and Transport Scotland and their Designer would welcome an updated data set to ensure that the data assessed and presented is the most up to date.</p>
<p>I understand the NMU Forum has already met. No one from the Council's Planning and Building Standards Environment Team has been involved with this and since we deal with all forms of non- motorised recreational and have an good knowledge of access issues in the area it would make sense to include someone from the team.</p>	<p>Aberdeenshire Council were represented at the NMU Forum held on 17 March 2015. Prior to the Forum Aberdeenshire Council advised Transport Scotland that the Council's Transport Strategy Team would be the main representative on the Forum with input from the Environment South Team who deal with recreational access. Transport Scotland is committed to on-going consultation with key stakeholders throughout subsequent stages of design and assessment. This will include further consultation with Aberdeenshire Council including consultation through the NMU Forum.</p>



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