



**TRANSPORT  
SCOTLAND**  
CÒMHDHAIL ALBA

# **Environmental Impact Assessment Record of Determination**

## **A9 Drumochter SB North End Resurfacing**

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## Project Details

### Description

BEAR Scotland has been commissioned by Transport Scotland to carry out resurfacing works on the A9 trunk road Drumochter North End SB Duals. The works will consist of carriageway resurfacing and reinstatement of road markings and traffic loops for a length of 1518m (approximately 1.06ha).

The resurfacing procedure is as follows:

- Set up traffic management (TM) and mark out site
- Mill out old surface course
- Lay new surface course
- Roll surface and allow it to go off
- Mark out lining schedule on site
- Remove TM and open road
- Lining/studding may be carried out at a later date under mobile TM or lane closures

The works are currently programmed to be completed within the 2022/2023 financial year. However, works may be delayed into the first half of the 2023/2024 financial year (April to September 2023 inclusive). Works are expected to be completed over eleven days by utilising a daytime working pattern. Traffic management (TM) is currently anticipated to consist of alternate lane closures with convoy working. However, if the programme changes, this may result in amendments to the exact TM requirements. Where required, alternative pedestrian routes will be included in the TM setup.

### Location

The scheme is located on the A9 trunk road in the Perth and Kinross Council region, 12km south of Dalwhinnie (Figure 1).

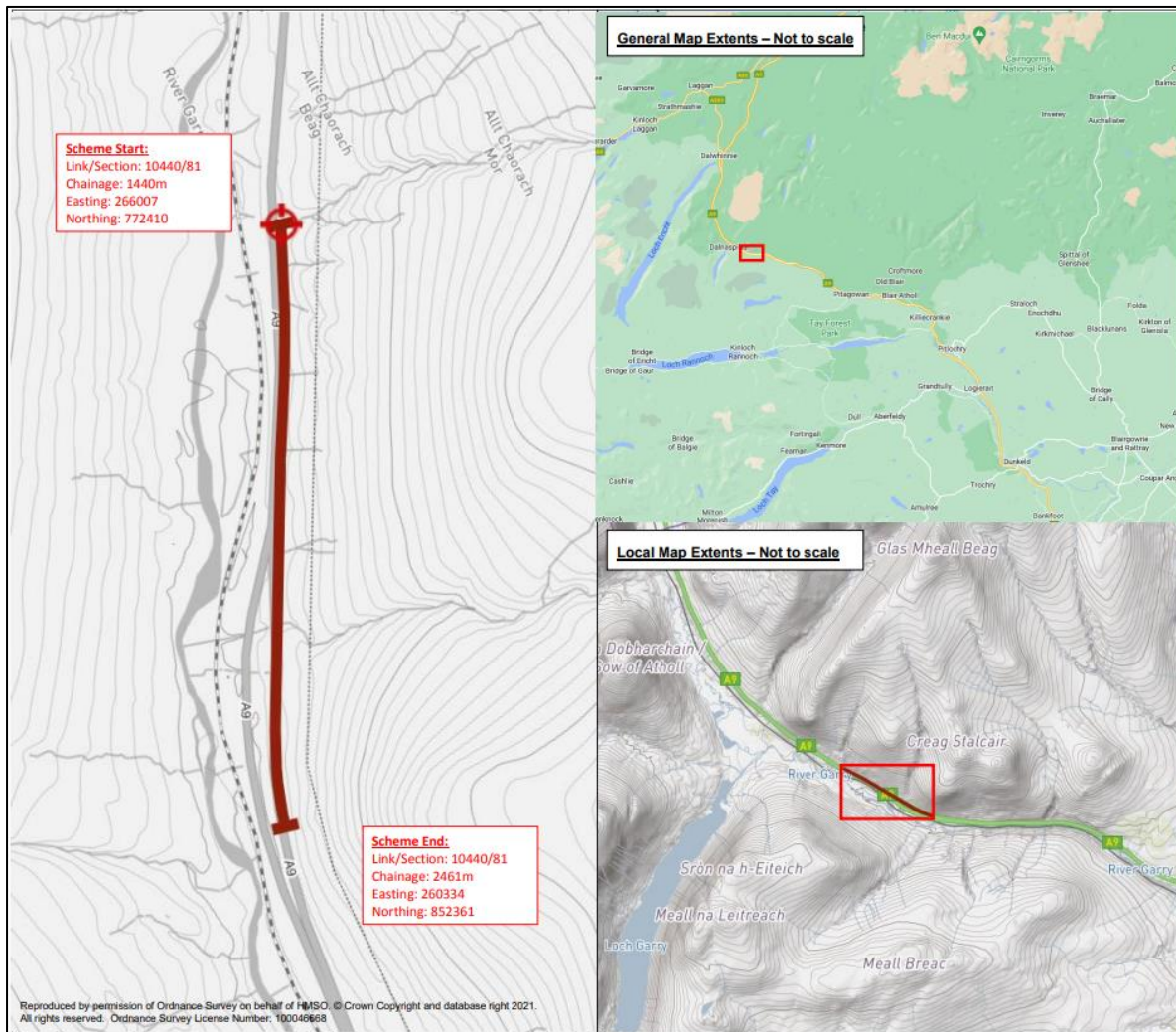


Figure 1. Location and scheme extent of the proposed resurfacing works at A9 Drumochter North End SB Duals. Source: BEAR Scotland.

## Description of local environment

### Air quality

The scheme is not located within any Air Quality Management Area (AQMA) and no air quality monitoring stations are located in the vicinity of works ([Air Quality Scotland](#)). The nearest air quality monitoring site to the scheme is located in Crieff, approximately 50km southeast of the scheme ([Air Quality Scotland](#)). Pollution levels in the general vicinity of works are anticipated to be lower than those at the monitoring station in Crieff due to the remote nature of the scheme location.

There are no sites registered on the Scottish Pollutant Release Inventory (SPRI) ([Scotland's Environment](#)) for air pollutant releases within 1km of the scheme.

Baseline air quality at the scheme location is likely to be primarily influenced by traffic along the A9 trunk road. The Perth to Inverness railway line forms a corridor 40m southwest of the scheme. Occasional train movement will therefore also have an impact. However, it is likely that train movements will be infrequent.

## Cultural heritage

According to Historic Environment Scotland's PastMap ([PastMap](#)), one Scheduled Monument lies within 300m of the scheme extents:

- 18<sup>th</sup> Century Military Road and Bridge, Allt Na Bha Thaitch, 50m from works location.

Twelve Historic Environment Records (HERs) and seven Canmore National Records (CNRs) lie within 300m of the scheme extents. Two of these, 'Dunkeld - Dalnacardoch - Ruthven - Aviemore - Inverness Military Road; Glen Garry' and 'Allt A' Bhathaichis' pertain to the trunk road within the scheme extents. There is no connectivity between the scheme and any remaining features ([PastMap](#)).

There are no World Heritage Sites, Listed Buildings, Garden and Designed Landscapes, Conservation Areas or Inventory Battlefields identified within 300m of the scheme ([PastMap](#)).

## Landscape and visual effects

The scheme is located within the Cairngorms National Park (CNP) ([SiteLink](#)). The CNP has the following Special Qualities:

- Magnificent mountains towering over moorland, forest and strath
- Vastness of space, scale and height
- Strong juxtaposition of contrasting landscapes
- A landscape of layers, from inhabited strath to remote, uninhabited upland
- The harmony of complicated curves'
- Landscapes both cultural and natural

The scheme does not lie within an area of land designated as a National Scenic Area (NSA) ([Scotland's Environment](#)). The Landscape Character Type (LCT) within the scheme extent is Upland Glen - Cairngorms (no. 126) ([Scottish Landscape Character Types](#)). The Upland Glen - Cairngorms LCT key characteristics are:

- Strong evidence of glacial processes, including steepened sides and level floors, shattered rock faces on higher slopes, hummocks of resistant rock on some glen floors and terraces of glacial deposits at the edges of glen floors.
- Often form arrival points into the Cairngorms National Park.
- Size varies from large open passes to narrower, more secluded glens.
- Enclosed predominantly by steep slopes.
- Frequently differing land-use on one side of the glen to the other - linked to aspect.
- Improved, grazed fields on glen floors and floodplains.
- Mostly settled, some only sparsely, but often extensive evidence of past settlement, including prehistoric hut circles and associated field systems, pre-improvement townships, and seasonal shielings.
- Some landmark historic buildings.
- Access varies from narrow roads, estate and forestry tracks to main routes, but most have some form of road running through them.
- Varied experience when passing through glens from open and expansive to sheltered and secluded.
- Views to adjacent uplands; from which parts of the glens are visible and provide contrast.

Land cover in the scheme extent is dominated by large open fields of temperate shrub heathland ([Scotland's Environment](#)).

## Biodiversity

The National Biodiversity Network (NBN) Atlas ([NBN Atlas](#)) does not record any protected species within 2km of the scheme during the past ten years. Only records with open-use attributions (OGL, CC0, CC-BY) were included in the search criteria.

The following records of invasive non-native species (INNS) of plants, as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) (WCA) (noted with \*), and injurious weeds, as listed under the Weeds Act 1959, or an invasive native perennial, as listed in the Trunk Road Inventory Manual were found using the same search criteria:

Giant hogweed (*Heracleum mantegazzianum*) \*The Asset Management Performance System (AMPS) does not hold records for any INNS within the scheme extents (Figure 2).



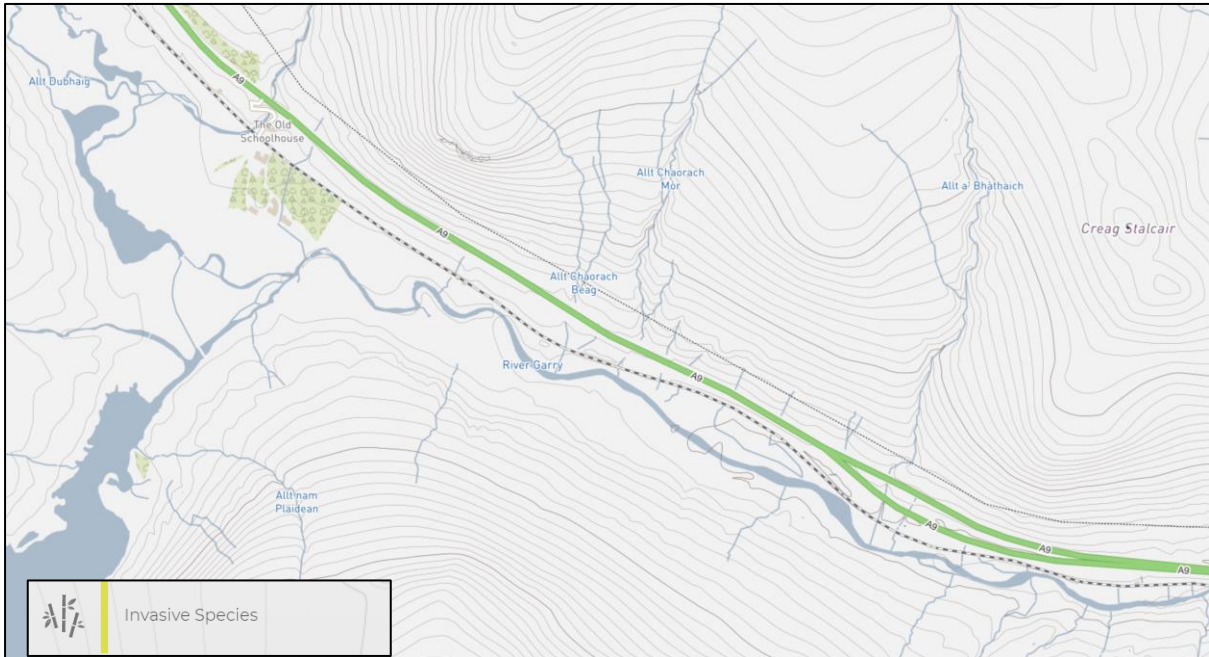


Figure 2. A search of AMPS identified no records of INNS within the scheme extent.

While NBN records a record of giant hogweed within 2km of the scheme, the record is not located within the boundary of the trunk road, which is also confirmed by the search of AMPS.

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

Habitat in the surrounding area is dominated by temperate shrub heathland ([Scotland's Environment](#)), raised and blanket bogs and Atlantic parkland. Tree cover in proximity to scheme is limited to young trees and shrubs flanking the trunk road. Freshwater habitat within the areas is provided by the numerous waterbodies which are culverted beneath the trunk road and then discharged into the River Garry from Loch Garry to Garry Intake 100m west of the scheme. Waterbodies in proximity to the scheme provide an excellent freshwater habitat for variety of aquatic species and, together with surrounding land, provides habitat which could support protected species.

## Geology and soils

A9 Road Cuttings and River Garry Gorge Geological Conservation Review Site (GCRS) lies within the scheme extents ([SiteLink](#)). The GCRS is 'unnotified' and therefore does not have statutory protection through designation as a geological feature in a Site of Special Scientific Interest (SSSI). Works will be restricted to the A9 carriageway, and the scheme will not include any work within the GCRS

boundary. Therefore, no direct or indirect impacts to either site are expected as a result of the works ([SiteLink](#)).

Bedrock within the scheme extents is comprised of Gaick Psammite Formation (psammite ([BGS GeoIndex](#))). Superficial deposits within the scheme extent is comprised of Hummocky (moundy) Glacial Deposits (diamicton, sand and gravel) ([BGS GeoIndex](#)).

The Generalised Soil Types beneath the scheme extent is Peaty Podzols ([Scotland's Soils](#)). The Major Soil Group is Podzols ([Scotland's Soils](#)).

## Material assets and waste

The proposed works are required to resurface the worn carriageway and reinstate road markings and traffic loops. Materials used will consist of:

- Asphaltic material
- Road-marking paint
- Bituminous emulsion bond coat
- Milled in road studs

Wastes are anticipated to be planings from the carriageway surface course, which will be fully recovered for re-use in line with BEAR Scotland's Procedure 126: The Production of Fully Recovered Asphalt Road Planings. The Contractor is responsible for the disposal of road planings and this has been registered in accordance with a Paragraph 13(a) waste exemption issued by SEPA, as described in Schedule 3 of the Waste Management Licensing Regulations 2011 (exemption number WML/XS/2004297). It is not yet known if the works will encounter coal tar contaminated road surfacing.

## Noise and vibration

Works are not located within a Candidate Noise Management Area (CNMA) or Candidate Quiet Area (CQA).

The daytime modelled noise level (Lden), within the scheme extents, range between 65 and 70 decibels ([Scotland's Noise Scotland's Environment](#)).

## Population and human health

The scheme lies within a rural area and as such, there are no residential or commercial properties within 300m of the scheme extents.



There are no National Cycle Network (NCN) routes ([OS Maps](#)), walking routes listed on WalkHighlands ([WalkHighland](#)), core paths ([Scotland's Environment](#)), local footpaths or other community facilities within the scheme. NCN Nr7 follows the course of the A9 50m south of the scheme.

The A9, at the scheme extents, is a dual carriageway trunk road that runs south to north across Scotland between Stirling and Thurso. The A9 is a key route for local, commuter, and tourist traffic. The national speed limit applies throughout the scheme.

The nearest traffic count point (ID 40725) on the A9 is located approximately 8m northwest of the scheme ([Road traffic statistics](#)). Vehicle count data taken from this point in 2020 shows an Average Annual Daily Traffic (AADT) count of 7104 motor vehicles, of which 1483 were heavy goods vehicles ([Road traffic statistics](#)). It should be noted that, due to the Covid-19 pandemic, the AADT count was lower in 2020 than in 2019. In 2019, the AADT was 9898 of which 1752 were heavy goods vehicles.

## Road drainage and the water environment

There are no classified surface waterbodies spanned or culverted beneath the scheme extents ([SEPA water environmental hub](#)). The A9, within the scheme extents, spans Allt'a Bhathaich, Allt Chaorach Mor and numerous other small unnamed waterbodies ([SEPA water environmental hub](#)). All of these flow for 100m to 200m in a south-westerly direction before discharging into River Garry from Loch Garry to Garry Intake, a classified waterbody (ID: 6912). River Garry from Loch Garry to Garry Intake is a river in the River Tay catchment of the Scotland River basin district. The main stem is approximately 7.0 kilometres in length. The water body has been designated as a heavily modified water body on account of physical alterations that cannot be addressed without a significant impact on water storage for hydroelectricity generation. River Garry from Loch Garry to Garry Intake has been assigned a Water Framework Directive 2000/60/EC (WFD) overall classification of 'Poor' ([SEPA water environmental hub](#)).

The scheme lies within the 'Rannoch' groundwater body, which was classified by SEPA in 2020 as having an overall condition of 'Good' ([SEPA water environmental hub](#)).

Approximately 50m of the A9 within the scheme extent has a high risk of river flooding, which means that each year, these areas have a 10% chance (high risk) of flooding ([SEPA Flood Map](#)).

## Climate

The Climate Change (Scotland) Act 2009 sets out the target and vision set by the Scottish Government for tackling and responding to climate change ([The Climate Change \(Scotland\) Act 2009](#)). The Act includes a target of reducing CO<sub>2</sub> emissions by 80% before 2050 (from the baseline year 1990). The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the Climate Change (Scotland) Act 2009 to bring the target of reaching net-zero emissions in Scotland forward to 2045 ([Climate Change \(Emissions Reduction Targets\) \(Scotland\) Act 2019](#)).

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

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

## Policies and plans

This Record of Determination has been undertaken in accordance with all relevant regulations, guidance, policies and plans, notably including the Environment and Sustainability Discipline of the Design Manual for Roads and Bridges ([Design Manual for Roads and Bridges \(DMRB\)](#)) and Transport Scotland's Environmental Impact Assessment Guidance ([Guidance - Environmental Impact Assessments for road projects \(transport.gov.scot\)](#)).

## Description of main environmental impacts and proposed mitigation

### Air quality

Construction activities associated with the proposed works have the potential to temporarily cause local air quality impacts. Activities undertaken on site may cause dust and particulate matter to be emitted to the atmosphere. However, taking into account the nature and scale of the works and the following mitigation measures, the risk of significant impacts to air are considered to be low.

- All plant, machinery and vehicles associated with the scheme must be maintained to the appropriate standards and must be switched off when not in use.
- All delivery vehicles carrying material with dust potential will be covered when travelling to or leaving site, preventing the spread of dust beyond the work area.
- Material stockpiles will be reduced as much as reasonably practicable by using a 'just in time' delivery system. All material will also be stored on made ground.
- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.
- Materials should be removed from site as soon as is practicable.
- Good housekeeping will be employed throughout the work.

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

### Cultural heritage

The proposed works are not anticipated to have an adverse impact on cultural heritage as the works will be restricted to made ground within the A9 carriageway boundary and involve like-for-like replacement of the road surfacing material. There are no recorded features of cultural heritage within the works footprint. The following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

The proposed works are not anticipated to have an adverse impact on cultural heritage as the works will be restricted to made ground within the A9 carriageway boundary and involve like-for-like replacement of the road surfacing material. As such, there is no connectivity between the scheme and the Scheduled Monument '18<sup>th</sup> Century Military Road and Bridge, Allt Na BhàThaich', which is located 50m from the scheme. Moreover, none of the planned construction activities will result in

any direct physical or indirect non-physical construction impacts on any unrecorded archaeological remains. The following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

- Should any unexpected archaeological evidence be discovered, works will stop temporarily in the vicinity and the BEAR Scotland Environment Team contacted for advice.
- People, plant, and materials should, as much as is reasonably practicable, only be present on areas of made / engineered ground. Where access outwith these areas is required for the safe and effective completion of the scheme, it should be reduced as much as is reasonably practicable and ideally be limited to access on foot. There should be no storage of vehicles, plant, or materials against any buildings, walls or fences.

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

## Landscape and visual effects

There is potential for minor, temporary visual impacts to CNP during the construction phase as a result of littering, or obstructed views due to vehicles and machinery. However, proposed works are like-for-like resurfacing of the road surface with all works being restricted to made ground of the A9 carriageway surface and land use will not change as a result of the works. However, CNP will be notified of planned works and TM arrangements. In addition, the following mitigation measures will be put in place during works:

- Works will be undertaken utilising a daytime work pattern, therefore negating the requirement for night-time operational lighting. This will help maintain 'dark skies' which is one of the special landscape qualities of the CNP.
- Throughout all stages of the works, the site must be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing the landscape and visual effects as much as possible.
- The working area and site compound location will be appropriately reinstated following works.
- Works are to avoid encroaching on land and areas where work is not required or does not have permission to do so. This includes general works, storage of equipment/containers and parking.
- Where applicable, upon completion of the works, any damage to the local landscape should be reinstated as much as is practicable.
- The site will be left clean and tidy following construction.

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

## Biodiversity

During road resurfacing, activities undertaken on site could potentially have a temporary adverse impact on biodiversity in the area as a result of an increased vehicle presence and the potential for disturbance to protected species and pollution of habitats.

The scheme is not situated within, and does not share connectivity with, a 'sensitive area' designated for biodiversity features e.g., Special Area of Conservation, Special Protection Area, Ramsar, Site of Special Scientific Interest, etc.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the SEMP and adhered to on site. Any protected species in the area are likely to be accustomed to road noise on the A9 and the scheme is of short duration. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- Works are to be strictly limited to areas required for access and resurfacing works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- No tree felling or in-stream works are permitted.
- No INNS recorded within the trunk road boundary at the scheme extents. Works are also restricted to made ground on the A9 carriageway surface, with works limited to like-for-like replacement of worn road surface. There are also no earthworks associated with the scheme, the scheme does not require permanent (or temporary) land-take, accommodation works, site clearance or locally gained resources, and there is no requirement to import topsoil. As such, there is limited potential to introduce or spread invasive or injurious plant species.
- Site personnel should remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works should temporarily halt until the species has sufficiently moved on. Any sightings of protected species should be reported to the BEAR Scotland Environmental Team.
- Where possible, works should be carried out during daylight hours. If artificial lighting is required, it should be directed away from road verges, woodland, and waterbodies as far as is safe and reasonably practicable.
- A 'soft start' will be implemented on site each day. This will involve switching on vehicles and checking under/around vehicles and the immediate work area for mammals prior to works commencing to ensure none are present and that there is a gradual increase in noise.

- Any excavations, exposed pipes/drains, or areas where an animal could become trapped (e.g., storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works to avoid animals falling in and becoming trapped.
- If fencing is utilised at any point during the works, a gap of 200mm from ground level must be provided, allowing free passage for mammals and preventing entrapment.
- Site personnel should remain vigilant for the presence of INNS in road verges throughout the works period. Should any INNS be identified in working areas, no works may take place within 7m of these areas until the BEAR Scotland Environmental Team can provide further advice.

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

## Geology and soils

Although resurfacing works include milling of the existing carriageway surface, construction activities are restricted to made ground within the carriageway boundary and are not anticipated to have an adverse impact on A9 Road Cuttings and River Garry Gorge GCRS and soils. With the following mitigation measures in place, the likelihood of significant impacts on the GCRS geology and soils is low.

- The parking of machinery/personnel and storage of equipment on road verges will be minimised as far as is reasonably practicable.
- Upon completion of the works, any damage to the local landscape (i.e., damage to grass verges) should be reinstated as much as is practicable.
- Mitigation measures to prevent contamination of soils through loss of containment will be strictly adhered to.

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

## Material assets and waste

There is potential for impacts as a result of resource depletion through use and transportation of new materials. However, materials will be sourced locally where possible and the following mitigation measures will be put in place:

- Materials will be sourced from recycled origins as far as reasonably practicable within design specifications.
- Care will be taken to order the correct quantity of required materials to prevent the disposal of unused materials.



- Where possible, minimal packaging should be requested on required deliveries to reduce unnecessary waste and production of packaging materials.

There is potential for impacts during works as a result of the improper storage or disposal of waste. The following mitigation measures will be put in place:

- The waste hierarchy (Reduce, Reuse, Recycle and Dispose) will be employed throughout the construction works.
- The subcontractor will adhere to waste management legislation and ensure they comply with their Duty of Care.
- Containment measures will be in place to prevent debris or pollutants from entering the surrounding environment.
- Road planings will be re-used or recycled under a SEPA Paragraph 13(a) waste exemption and in line with BEAR Scotland's Procedure 126: The Production of Fully Recovered Asphalt Road Planings.
- All wastes and unused materials must be removed from site in a safe and legal manner by a licensed waste carrier upon completion of the works. The appointed waste carrier must have a valid SEPA waste carrier registration, a copy of which will be provided to and retained by BEAR Scotland as early as possible.
- All appropriate waste documentation must be present on site and be available for inspection. A copy of the Duty of Care paperwork should be provided and filed appropriately in accordance with the Code of Practice (as made under Section 34 of Environmental Protection Act 1990 as amended).
- Re-use and recycling of waste will be encouraged, and the subcontractor will be required to fully outline their plans and provide documentary evidence for waste arising from the works (e.g., waste carrier's licence, transfer notes, and waste exemption certificates).
- Staff will be informed that littering will not be tolerated. Staff will be encouraged to collect any litter seen on site.
- Where applicable, all temporary signage will be removed from site on completion of the works.
- If the works encounter coal tar, then this will be appropriately processed in line with Transport Scotland's Guidance Note on Dealing with Coal Tar Bound Arisings. This will include:
  - Coal tar contaminated road planings will be classified as a Special Waste.
  - All waste will be appropriately segregated, with coal tar contaminated planing being kept separate from uncontaminated planings.
  - Coal tar contaminated road planings must be transported by a registered waste carrier and be accompanied by a SEPA-issued consignment note or code. SEPA must be notified, at least 72 hours before and no longer than one month before, prior to

Special Waste leaving site. It must be sent to a facility that holds suitable pollution prevention and control permits and waste management licences. Copies of consignment notes must be retained for a period of three years.

- Waste must be transported in a safe and secure manner to prevent the release of contaminated material en-route.

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

## Noise and vibration

Construction activities associated with the proposed scheme works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. There are no human receptors located within 300m of the scheme and the works are anticipated to take place during daytime hours. The proposed scheme is anticipated to result in temporary minor adverse noise impacts. The following mitigation measures will be put in place:

- The Best Practice Means, as defined in Section 72 of the Control of Pollution Act 1974, will be employed at all times to reduce noise to a minimum.
- For any night works, the Environmental Health Officer (EHO) and local residents will be notified of works and provided with a 24-hour contact number for the BEAR Scotland Control Room.
- On-site construction tasks should be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- All site personnel will be fully briefed in advance of works regarding the need to minimise noise during works and of the site-specific sensitivities.
- All plant, machinery and vehicles will be switched off when not in use.
- All plant will be operated in such a way that minimises noise emissions and will have been maintained regularly to the appropriate standards.
- Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms should be utilised during construction.
- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

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

## Population and human health

**Scoped out** - There are no human receptors or community facilities within 300m of the scheme extents.

## Road drainage and the water environment

There are no classified surface waterbodies spanned or culverted beneath the scheme extents ([SEPA water environmental hub](#)). The A9, within the scheme extents, spans Allt'a Bhathaich, Allt Chaorach Mor and numerous other small unnamed waterbodies. All of these flow for 100m to 200m in a south-westerly direction before discharging into River Garry from Loch Garry to Garry Intake, a classified waterbody (ID: 6912) ([SEPA water environmental hub](#)). During resurfacing works, there is potential for temporary impacts on the water environment. Potential changes in water quality from pollution events (either by accidental spillage of sediments, particulate matter, chemicals, fuels or by mobilisation of these in surface water caused by rain) during works have the potential to have a direct or indirect effect on the Allt'a Bhathaich, Allt Chaorach Mor, numerous other small unnamed waterbodies and River Garry from Loch Garry to Garry Intake. The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

- The scheme will not entail any in-stream works.
- Standard working practices to comply with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) for works in or near water will be detailed in the Site Environmental Management Plan (SEMP) and adhered to on site.
- No discharges into any watercourses or drainage systems are permitted. Appropriate containment measures must be in place to prevent any loss of construction materials into the water environment.
- An incident response (contingency) plan will be put in place to reduce the risk from pollution incidents or accidental spillages. All necessary containment equipment, including suitable spill kits (for oil and chemicals) will be available on site, quickly accessible if needed, and staff trained in their use.
- All spills must be logged and reported. In the event of any spills into the water environment, all works must stop and the incident must be reported to the project manager and the BEAR Scotland Environmental Team. SEPA must be informed of any such incident as soon as possible using the SEPA Pollution Hotline.
- All plant and equipment must be regularly inspected for any signs of damage and leaks. A checklist must be present to make sure that the checks have been carried out.
- Storage of COSHH material, oil and fuel containers should be distanced more than 10m away from any watercourses.

- If required, a designated refuelling area must be identified. Fuel bowsers should be stored on an impermeable area and be fully bunded. This should be distanced more than 10m from any watercourses.
- During refuelling of smaller mobile plant, a funnel must be used, and drip trays must be in place. Care must be taken to reduce the chance of spillages. Spill kits must be quickly accessible to capture any spills should they occur. The ground / stone around the site of a spill must be removed, double bagged and taken off site as special contaminated waste.
- Generators and static plant may have the potential to leak fuel and / or other hydrocarbons and must have bunding with a capacity of 110%. If these are not bunded then drip trays should also be supplied beneath the equipment with a capacity of 110%.

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

## Climate

Construction activities associated with the proposed scheme works have the potential to cause local air quality impacts as a result of the emission of greenhouse gases through the use of vehicles and machinery, material use and production, and transportation of materials to and from site. The following mitigation measures will be put in place:

- BEAR Scotland will adhere to their Carbon Management Policy.
- Where possible, the works will be undertaken utilising a daytime work pattern to reduce the requirement for additional lighting.
- Local contractors and suppliers will be used as far as practicable to reduce fuel use and greenhouse gas emitted as part of the works.
- Where possible, materials will be sourced locally to reduce greenhouse gas emissions associated with materials movement, and waste will be disposed at local landfill.
- BEAR Scotland participate in CEEQUAL.

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

## Major Accidents and Disasters

Approximately 50m of the A9 within the scheme extent has a high risk of river flooding, which means that each year, these areas have a 10% chance (high risk) of flooding.

Works are restricted to the made ground of A9 carriageway and any traffic management will be designed in line with existing guidance. The proposed works are anticipated to last 11 days. Traffic management will consist of lane closures with 10mph convoy working. Where required, alternative pedestrian routes will be included in the traffic management setup, to minimise impact of the works on NMUs.

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

## Assessment of cumulative effects

The proposed works are not anticipated to result in significant environmental effects. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity. Any future BEAR Scotland schemes will be programmed to take into account already-programmed works and as such, any cumulative effect will be limited. In addition, a search of the Perth and Kinross Council Planning Portal ([Map Search](#)) confirmed that there are no planning applications within 300m of the scheme. Overall, it is unlikely that the proposed works will have a significant cumulative effect with any other future works in the area.

## Assessments of the environmental effects

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

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

This is a relevant project in terms of section 55A(16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials,

plant, spoil heaps, or other such facilities or stores required during the period of construction) are situated in whole or part in the Cairngorms NP which is a sensitive areas within the meaning of regulation 2(1) of the Environmental Impact Assessment (Scotland) Regulations 1999.

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

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

Characteristics of the scheme:

- The works will be temporary, localised, and completed during daytime hours if possible.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.
- In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented.
- No in-combination effects have been identified.
- The risk of major accidents or disasters is considered to be low.

Location of the scheme:

- The scheme is not situated within, and does not share connectivity with, a 'sensitive area' designated for biodiversity features e.g., Special Area of Conservation, Special Protection Area, Ramsar, Site of Special Scientific Interest, etc.
- Any impacts to the local landscape, and with association the CNP, during the construction phase will be minor, temporary and not considered significant. In addition, no operational impacts are anticipated.
- The site compound will be located on made ground.

Characteristics of potential impacts of the scheme:

- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- The SEMP will include plans to address environmental incidents.



- No impacts on the environment are expected during the operational phase as a result of works. The works are expected to result in positive impacts on road users during the operational phase.
- Mitigation measures detailed above and in the SEMP are put in place with the objective to prevent and, if required, subsequently control any potential impacts on sensitive receptors.

## Annex A

“sensitive area” means any of the following:

- land notified under sections 3(1) or 5(1) (sites of special scientific interest) of the Nature Conservation (Scotland) Act 2004
- land in respect of which an order has been made under section 23 (nature conservation orders) of the Nature Conservation (Scotland) Act 2004
- a European site within the meaning of regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994
- a property appearing in the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage
- a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979
- a National Scenic Area as designated by a direction made by the Scottish Ministers under section 263A of the Town and Country Planning (Scotland) Act 1997
- an area designated as a National Park by a designation order made by the Scottish Ministers under section 6(1) of the National Parks (Scotland) Act 2000.



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