



**TRANSPORT  
SCOTLAND**  
CÒMHDHAIL ALBA

# **Environmental Impact Assessment Record of Determination**

## **A889 Dalwhinnie Resurfacing**

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## Project Details

### Description

BEAR Scotland has been commissioned by Transport Scotland to carry out resurfacing works on the A889 at Dalwhinnie village. The works will consist of carriageway resurfacing and reinstatement of road markings for a length of 391m (approximately 0.48 ha).

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 (January 2023 to March 2023 inclusive). However, works may be delayed into the first half of the 2023/2024 financial year (April to November 2023 inclusive). Works are expected to be completed over five nights by utilising night-time working hours; however, changes in the programme may result in the need for day works. Traffic management (TM) is currently anticipated to consist of lane closures with 3-way temporary traffic lights and a 10mph convoy. 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 along the A889 trunk road, within Dalwhinnie village, in the Highland Council region (Figure 1).

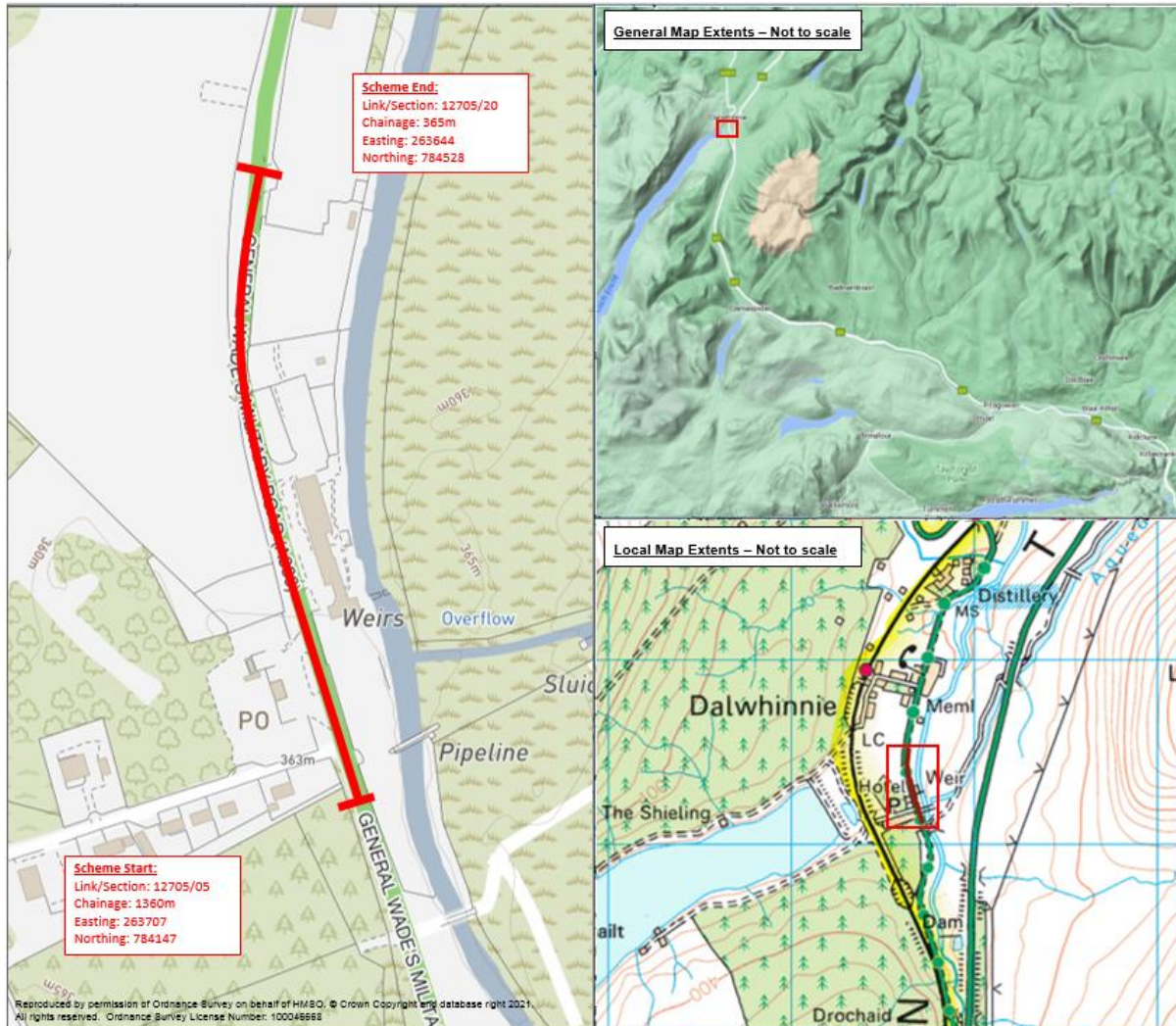


Figure 1. Location and scheme extent of the proposed resurfacing works at A889 Dalwhinnie. Source: BEAR Scotland. F108 – Environmental Assessment Request (Scheme ref: 22-NW-0103-22). Alt text included.

## 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 Fort William, approximately 45km west 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 Fort William 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 A889 trunk road. The Highland Main Line railway line (with associated land) forms a corridor to the west of the A889 throughout the scheme extent (220m at its nearest point). Occasional train movement will therefore also have an impact. However, it is likely that train movements will be infrequent.

## Cultural heritage

Spatial data from [Historic Environment Scotland](#) lists two features from the Canmore database within 300m of the scheme. One of these pertains to the Loch Ericht Hotel which is within the scheme extent and the other to the 'Dalwhinnie, War Memorial' which is approximately 220m south of the scheme extent. There are also two Historic Environment Records within the 300m of the Scheme extent, 'Dalwhinnie, General' and 'Dalwhinnie, Loch Ericht Hotel'. All works are restricted to the trunk road, with only 'like-for-like' replacement of road surface being undertaken, therefore the works do not include any alterations that would affect the historic and architectural character of these features. There are no World Heritage Sites, Scheduled Monuments, Conservation Areas, Garden and Designed Landscapes or Inventory Battlefields identified within 300m of the scheme ([Historic Environment Scotland](#)).

## Landscape and visual effects

The scheme is located within the Cairngorms National Park (CNP) ([Sitelink](#)) which has the following special qualities:

### **1.0 General Qualities**

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

### **2.0 The Mountains and Plateaux**

- The unifying presence of the central mountains
- An imposing massif of strong dramatic character
- The unique plateaux of vast scale, distinctive landforms and exposed, boulderstrewn high ground
- The surrounding hills

- The drama of deep corries
- Exceptional glacial landforms
- Snowscapes

### **3.0 Moorlands**

- Extensive moorland, linking the farmland, woodland and the high tops
- A patchwork of muirburn

### **4.0 Glens and Straths**

- Steep glens and high passes
- Broad, farmed straths
- Renowned rivers
- Beautiful lochs

### **5.0 Trees, Woods and Forests**

- Dark and venerable pine forest
- Light and airy birch woods
- Parkland and policy woodlands
- Long association with forestry

### **6.0 Wildlife and Nature**

- Dominance of natural landforms
- Extensive tracts of natural vegetation
- Association with iconic animals
- Wild land
- Wildness

### **7.0 Visual and Sensory Qualities**

- Layers of receding ridge lines
- Grand panoramas and framed views
- A landscape of many colours
- Dark skies
- Attractive and contrasting textures
- The dominance of natural sounds

## **8.0 Culture and History**

- Distinctive planned towns
- Vernacular stone buildings
- Dramatic, historical routes
- The wistfulness of abandoned settlements
- Focal cultural landmarks of castles, distilleries and bridges
- The Royal connection

## **9.0 Recreation**

- A landscape of opportunities
- Spirituality

The Landscape Character Type (LCT) within the scheme extent is Upland Glen - Cairngorms (no. 126) ([Scottish Landscape Character Types](#)). The Upland Glen - Cairngorms LCT is characterised by:

- 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.

The scheme is located on the A889, within the village of Dalwhinnie, which is an area that is popular with tourists and outdoor recreationists. Land use surrounding the scheme is typically dominated by acid alpine, subalpine and extensive grassland



as well as heathland. Coniferous woodlands, and raised and active bogs are also present further afield ([Scotland's Environment](#)).

## Biodiversity

The River Truim (source to Allt Cuaich confluence) which forms part of the River Spey Special Area of Conservation (SAC) runs parallel to the A889 throughout the scheme extent (~20m east at the closest) ([SiteLink](#)).

All works are restricted to made-ground within the A889 carriageway boundary, with only 'like-for-like' replacement of road surface being undertaken and will not entail any in-stream works; therefore, no impacts to the qualifying features are expected. Moreover, there is no direct connectivity between the scheme and the SAC and any protected species present in the area are likely to be habituated to vehicle movements along the A889 and are therefore unlikely to be disturbed by the proposed resurfacing works.

BEAR Scotland previously produced a Statement to Inform Appropriate Assessment (SIAA) to cover a range of maintenance activities (including resurfacing) within the Drumochter Hills, River Spey, and River Spey – Insh Marshes Natura Sites. The SIAA outlines standard good practice measures to reduce the risk of pollution or disturbance to qualifying features of the River Spey SAC. These measures will be detailed in the Site Environment Management Plan (SEMP) and adhered to during works. As such, no Likely Significant Effects (LSE) on the qualifying features of the River Spey SAC are anticipated and further consultation with NatureScot is not required.

Drumochter Hills Special Protection Area (SPA) lies 650m southeast of the scheme. Works will be restricted to the A889 carriageway boundary and will not entail tree felling, excavations or other works within the SPA boundary. As such, and due to the distance of the SPA from the scheme, the pathway to effect is very limited and no LSE or other impacts on the SPA are expected as a result of the works.

Drumochter Hills SAC lies 650m southeast of the scheme ([SiteLink](#)). The SAC is designated for:

- Acidic scree
- Alpine and subalpine heaths
- Blanket bog
- Dry heaths

Works will be restricted to the A889 carriageway boundary and will not entail tree felling, excavations or other works within the SAC boundary. As such, and due to the



distance of the SAC from the scheme, the pathway to effect is very limited and no LSE or other impacts on the Drumochter Hills SAC are expected as a result of the works.

The SIAA produced by BEAR Scotland also covers resurfacing works within the Drumochter Hills Natura Sites. The SIAA outlines standard good practice measures to reduce the risk of pollution or disturbance to qualifying features of the Drumochter Hills SAC and SPA. These measures will be detailed in the SEMP and adhered to during works. As such, no LSE on the qualifying features of the Drumochter Hills SAC or SPA are anticipated.

Drumochter Hills Site of Special Scientific Interest (SSSI) ([SiteLink](#)) lies 420m southeast of the scheme and is designated for the following biological features:

- Breeding bird assemblage
- Montane assemblage
- Vascular plant assemblage

One of the notified features of the SSSI is 'Fluvial geomorphology of Scotland'. It is worth noting that this is a geological feature and is discussed under the 'Geology and Soils' heading below.

Works will be restricted to the A889 carriageway boundary and will not entail tree felling, excavations or other works within the SSSI boundary. In addition, breeding birds in the area will likely be habituated to higher levels of road noise near the A889. As resurfacing works will be restricted to the A889 carriageway and will move progressively along the scheme extent, they are unlikely to result in significantly increased levels of road noise in the area. Therefore, no impacts to the qualifying features of the SSSI are expected as a result of works.

The NBN Atlas also holds records of additional 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 ([NBN Atlas](#)).

The NBN holds records for the following invasive non-native species (INNS) of plants or injurious weeds recorded using the same criteria.

- Broadleaved dock (*Rumex obtusifolius*)
- Creeping thistle (*Cirsium arvense*)
- Rosebay willowherb (*Chamerion angustifolium*)

Transport Scotland's Asset Management Performance System (AMPS) does not hold any records of INNS or injurious weeds along the A889 within the scheme extent.

Habitats surrounding the A889 are dominated by acid alpine, subalpine and extensive grassland as well as heathland. Coniferous woodlands, and raised and active bogs are also present further afield ([Scotland's Environment](#)). There is also some riparian habitat which follows the course of the River Truim (source to Allt Cuaich confluence) and Lakeland habitat in Loch Erich. The habitats available in the wider area are suitable for protected species. Nesting birds may also use the woodland in vicinity of the scheme between March and August.

## Geology and soils

The scheme does not lie within a Geological Conservation Review Site (GCRS) ([SiteLink](#)). As mentioned under the 'Biodiversity' heading, the scheme lies 420m northwest of Drumochter Hills SSSI. One of the notified features of this SSSI is 'fluvial geomorphology of Scotland', which is a geological feature ([SiteLink](#)). Works will be restricted to the A889 carriageway boundary and will not entail tree felling, excavations or other works within the SSSI boundary ([SiteLink](#)).

There are no Local Geodiversity Sites (LGS) with connectivity to the scheme extents ([SiteLink](#)).

Bedrock within the scheme extent is comprised of Gaick Psammite Formation (psammite) which is a metamorphic bedrock ([BGS GeoIndex](#)). Superficial deposits within the scheme extent are comprised of Hummocky Glacial Deposits (diamicton, gravel, sand and silt) and Alluvium Deposits (clay, silt and sand) which are both sedimentary deposits formed during the quaternary period ([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. 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/2004573). 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) ([Scotland's Noise Scotland's Environment](#)).

There is no noise modelled data available for the scheme extent ([Scotland's Noise Scotland's Environment](#)).

## Population and human health

Within 300m of the scheme extent, there are ten residential properties. The nearest of these lies approximately 30m west of the scheme and has no screening from the trunk road. There are also a number of commercial properties including a corporate office (SSE Dalwhinnie Workshop), a filling station, a post office, a restaurant, a hotel and a trailer dealer. These commercial receptors (including the hotel) typically lie adjacent to the A889 and have no screening from the trunk road. There are also a number of local access roads to nearby residential and commercial receptors which diverge from both carriageways of the A889 throughout the scheme extent.

A section of the National Cycle Network (NCN) route 7 utilises the A889 throughout the scheme extent ([OS Maps](#)) and one Core Path (path code: UBS27) diverges from the northbound carriageway at the southern scheme extent ([Scotland's Environment](#)). There are no walking routes listed on WalkHighlands ([WalkHighlands](#)). Paved footpaths run along the scheme extent and there is a bus stop adjacent the post office.

The A889 Trunk Road connects Dalwhinnie with Laggan Bridge, predominantly acting as a link between the A9 and A86 Trunk Roads. The A889 is a single carriageway along its length and the national speed limit applies throughout the scheme.

The nearest traffic count point (ID: 20954) on the A889 is located approximately 7.5km north of the scheme ([Road traffic statistics](#)). Vehicle count data taken from this point in 2021 shows an Average Annual Daily Traffic (AADT) count of 761 motor vehicles, of which 74 were heavy goods vehicles ([Road traffic statistics](#)).

## Road drainage and the water environment

River Truim (source to Allt Cuaich confluence) (ID: 23638), a waterbody which has been classified by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD), runs parallel to the A889 trunk road throughout the scheme extent (~20m east at the closest). River Truim was classified by SEPA in 2020 as having 'Moderate ecological potential' and 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 ([SEPA water environment hub](#)).

Loch Ericht (ID: 100203), classified by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD), lies ~460m west of the scheme extent. Loch Ericht was classified by SEPA in 2020 as having 'Good ecological potential' and 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 ([SEPA water environment hub](#)).

An aqueduct (unclassified by SEPA) which flows parallel to the River Truim joins the river ~50m from the scheme extent. Water from this aqueduct enters a sluice gate ~150m from the scheme extent and is piped from this location, over the River Truim and under the A889 before discharging into Loch Ericht ~460m from the scheme extent.

There may also be roadside drains in the vicinity of the A889 within the scheme extent.

The scheme falls within the 'Strathnairn, Speyside and Cairngorms' groundwater which has been classified as 'Good' ([SEPA water classification hub](#)).

## 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

Although there are features of cultural heritage interest within the scheme extent and within 300m of the scheme, construction of the A889 road corridor is likely to have removed any archaeological remains that may have been present. Therefore, the potential for the presence of unknown archaeological remains in the study area has been assessed to be low. Moreover, all works are restricted to the trunk road, with only 'like-for-like' replacement of road surface material. 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 the local landscape during the construction phase as a result of littering or obstructed views due to vehicles and machinery. However, proposed works will be restricted to like-for-like resurfacing of the A889 carriageway and will be carried out over 5 nights, and land use will not change as a result of the works. Therefore, the works will not create any significant change to the local landscape, no significant impacts to the Cairngorms National Park are expected, and no consultations are required. In addition, the following mitigation measures will be put in place during works:

- 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. Although the scheme extent lies in the vicinity of the River Spey SAC, as



well as the Drumochter Hills SAC, SPA and SSSI, all works are restricted to made ground on the A889 carriageway surface, with only 'like-for-like' replacement of the road surface being undertaken. As such, there will be no impact on the notified features of any designated site. There is also no requirement for land take (or resources), site clearance or works within any designated site. BEAR Scotland previously produced a SIAA to cover a range of maintenance activities (including resurfacing) within the Drumochter Hills, River Spey, and River Spey – Insh Marshes Natura Sites which outlines standard good practice measures to reduce the risk of pollution or disturbance to qualifying features of these sites. These measures will be detailed in the SEMP and adhered to during works. Any protected species in the area are likely to be accustomed to road noise on the A889 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.
- All construction operatives are to be briefed through toolbox talks prior to works commencing. The toolbox talks will provide information on the legislation, general ecology, and best practice measures for relevant protected species and INNS.
- Site personnel 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.
- Artificial lighting 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 geology and soils. With the following mitigation measures in place, the likelihood of significant impacts on geology and soils is low.

- The scheme will not entail excavation, tree felling, or other works within the SSSI boundary.
- 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.
- Uncontaminated 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 works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. The works are anticipated to take place overnight. 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.
- Local residents and the Environmental Health Officer (EHO) from the Highland Council 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.
- For any night works within 300m of residential properties, the noisiest works should be programmed to be completed before 23:00 each night where possible.
- 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

During construction, activities undertaken on site may have temporary adverse impacts on local residents, vehicle travellers, and non-motorised road users (NMUs) as a result of vehicle noise and delays due to traffic management measures. Local residents will be notified of works via letter drop and road users will be informed of

works through a media release, which will provide details of construction dates and times. The works will be of short duration and will move progressively along the full scheme extent. With the following mitigation measures in place, the risk of significant impacts on population and human health is considered to be low:

- Local residents will be notified of the impending works traffic management arrangements. Information will provide contact details (office phone number and e-mail address) for the Project Engineer as well as a 24-hour contact number for the BEAR Scotland Control Room.
- Appropriate provisions / measures should be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site.
- Access to the NCN route and Core Path will be maintained at all times, however it is expected that pedestrian footfall will be low during the works.
- Journey planning information will be available for drivers online at the [trafficscotland.org](http://trafficscotland.org) website. Journey planning information will also be available for drivers online through BEAR's social media platforms.

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

## **Road drainage and the water environment**

During 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 or tidal movements) during works have the potential to have a direct or indirect effect on the surrounding waterbodies. The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

- 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 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

A section of the A889 north of Dalwhinnie filling station has a high risk of river flooding, which means that each year, this area has a 10% chance of flooding.

Works are restricted to the made ground of the A889 carriageway and traffic management will be designed in line with existing guidance. The proposed works are anticipated to last 5 nights. Traffic management will consist of lane closures with 3-way temporary traffic lights and a 10mph convoy. 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. A search of the Highland Council Planning Portal ([Map Search](#)) records three planning applications in the vicinity of works:

- 'Formation of touring motorhome/caravan site' (21/00680/FUL) – adjacent to the southern scheme extent
- 'Construction and Operation of a Pumped Storage Hydro Scheme' (22/00392/PAN) – 180m north of the scheme
- 'Construction of new Water Treatment Works' (21/04075/FUL) – 300m north of the scheme.

As of date of writing, only the 'Construction of new Water Treatment Works' has received planning permission. The proposal was approved to proceed in October 2021, and a search of Google Streetview from November 2021 and April 2022 indicates that these works may already be in progress. The Water Treatment Works project is approximately 300m from the scheme extent and construction hours for this scheme are restricted to daytime hours. The proposed resurfacing works will be carried out at night with standard noise mitigation measures in place and will be restricted to the A889 trunk road boundary. With these measures in place and due to the distance from the construction of new water treatment works, the risk of in-combination or cumulative impacts on environmental receptors is considered to be low. Aside from the Water Treatment Works project, there are no known projects



currently with planning permission that have the potential to contribute to in-combination or cumulative effects on environmental receptors in the vicinity of the A889 within the scheme extent.

A search of the Scottish Roads Works Commissioner website ([Map Search](#)) has identified that footway patching works (undertaken by BEAR Scotland) on the trunk road commenced on the 24/10/22 and are estimated to last for 96 working days, meaning works may occur at the same time as this scheme. The proposed resurfacing works will be completed during night works, whilst the footway refurbishment works are being carried out within daytime working hours (07:00 – 19:00); however, the resurfacing works will be of short duration (five nights), will have standard noise mitigation measures in place, and both schemes will move progressively along the full scheme extent. Therefore, working areas for each are unlikely to fully overlap during the course of the shorter resurfacing scheme and noise impacts are not expected to be significant. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity.

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

## Assessments of the environmental effects

As detailed in the Description of Main Environmental Impacts and Proposed Mitigation section, 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 National Park, which is a sensitive area within the meaning of regulation 2(1) of the Environmental Impact Assessment (Scotland) Regulations 1999.

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment (EIA) is required under the Roads (Scotland) Act 1984 (as amended by The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017). Screening using Annex III criteria, 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 total working area is less than 1 ha.
- The works will be temporary, localised, and completed during night-time hours, when the traffic count is at its lowest levels.
- 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 works are not expected to have LSE on the River Spey SAC, or any other designated site.
- Works will not have a significant impact on the Cairngorms National Park.
- Any impacts to the local landscape during the construction phase will be minor, temporary and not considered significant. In addition, no operational impacts are anticipated.
- 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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Published by Transport Scotland, December 2022

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