

Appendix A6.1: Summary of Consultation Responses

1 Introduction

- 1.1 This appendix contains a summary of the key environmental input provided by both statutory and non-statutory consultees through the consultation process described in Chapter 6 (Consultation and Scoping).
- 1.2 Table 1 and Table 2 provide a summary of the statutory and non-statutory consultee comments in relation to the proposed scheme and the response to this consultation.

Table 1: Summary of Consultation Responses: Statutory Consultees

Summary of Consultee Feedback / Discussion	Jacobs Response
Historic Environment Scotland (HES)	
<p>Consultation letter issued on 19 December 2017 providing information on the outcome of the DMRB Stage 2 assessment/preferred option. HES responded on 22 December 2017 outlining concerns with potential impacts of preferred option on Scheduled Monument SM11535 (Ashton Farm Cottages, ring ditch 415m SW and pit circles 460m WSW).</p> <p>A meeting was held on 11 January 2018 between Jacobs, Transport Scotland and HES to discuss the proposed scheme and potential impacts on Scheduled Monument SM11535 (Ashton Farm Cottages, ring ditch 415m SW and pit circles 460m WSW). HES highlighted their concerns relating to Variant A that would run between the two scheduled areas, and noted that they would prefer to see Variant B brought forward as the preferred scheme.</p> <p>Consultation letter sent to HES on 13 March 2018 regarding approach and scope of assessment and detailing designated assets within 2km whose setting may be affected by the proposed scheme. HES responded on 23 March 2018 stating that they were content with the assessment methodology proposed and agreed a detailed assessment for archaeological remains was appropriate in this case. HES confirmed that they were content with the list of designated assets identified for assessment. Further consultation letter sent to HES on 13 June 2018 regarding designated assets initially identified within 2km of the proposed scheme, whose setting (following additional baseline data gathering and the development of the ZTV) is not predicted to be affected and whether these can be scoped out of the baseline and further assessment. The letter also asked for feedback on the rationale for concluding no impact on the setting of the battlefield resulting from the construction and operation of the proposed scheme. HES confirmed that they were content with the revised list in their response dated 27 June 2018.</p> <p>Letter issued to HES on 25 July 2018 regarding the assessment of the impact on the setting of Culloden Battlefield for information and comment. Correspondence received on 23 August 2018 from Andrew Stevenson noting that HES are content to agree with the rationale for concluding no impact on the Culloden Inventory Battlefield site as put forward in the letter dated 25 July 2018.</p> <p>Response received from HES on 25 July 2018 regarding the Scoping Report, issued to the statutory consultees on 13 June 2018. HES note that in the scoping report, Culloden House Garden and Designated Landscape are to be excluded from the scope of assessment in the landscape chapter. However, HES state that Culloden House GDL, Culloden Inventory Battlefield, and Culloden House and its associated building should be retained in the baseline for further assessment within the landscape chapter. HES expect a robust assessment of potential impacts on the Ashton Farm Cottages Ring Ditch with appropriate mitigation identified.</p> <p>The geophysical survey results were provided to HES on the 6 August 2018 for comment. Jacobs enquired whether HES had any intention to change the Scheduled area of the Scheduled Monument (Ashton Farm Cottages, ring ditch 415m SW and pit circles 460m WSW of; SM11535) based on the geophysical survey results.</p> <p>HES responded on 22 August 2018 and stated that the information in the geophysical survey report was passed on to the HES designation team, who noted that HES have no immediate plans to review the scheduling of the Ashton Farm Cottages, ring ditch 415m SW and pit circles 460m WSW of; SM11535. HES do however have a</p>	<p>Jacobs issued their response to HES's Scoping Report comments in February 2019.</p> <p>As outlined in the Scoping Report, Culloden House Garden and Designed Landscape (GDL) was scoped out of the Landscape assessment. This was due to any direct or indirect significant landscape impacts being unlikely at approximately 1km distance from the nearest part of the proposed scheme, and given the lack of visibility of the proposed scheme as indicated by the Zone of Theoretical Visibility (ZTV) map, taking into account the heights of existing surface features such as buildings. However, Jacobs are happy to consider the Culloden House Garden and Designed Landscape (GDL) in the Landscape assessment for consistency with the Cultural Heritage chapter, although do not anticipate any significant landscape impacts.</p> <p>All potential impacts on cultural heritage assets are considered within the Environmental Impact Assessment Report (EIAR) and reported within Chapter 14 (Cultural Heritage).</p> <p>Impacts on assets of historical value will be kept to a minimum as far as possible and where necessary mitigation measures are proposed and reported in the EIAR.</p> <p>As per agreement with HES, Jacobs have concluded that there would be no impact on the Culloden Inventory Battlefield site as a result of the proposed scheme.</p> <p>Ongoing consultation with HES will continue as the design and assessment progresses.</p>

Summary of Consultee Feedback / Discussion	Jacobs Response
<p>current project looking at sites that are evidenced through cropmarking; as part of this project they will review SM11535 using all available information, but that review is unlikely to happen for some time.</p> <p>Draft Chapter 14 (Cultural Heritage) issued to HES for comment in February 2019.</p> <p>HES responded by email on 15 March 2019 thanking Jacobs for sending on the draft chapter. HES commented that while no mitigation is identified for impacts on the scheduled monument <i>Ashton Farm Cottages, ring ditch 415m SW and pit circles 460m WSW of (Asset 14)</i> they would suggest that demarcation of the monument during the construction phase in order to avoid damage from plant etc would be appropriate.</p> <p>Jacobs responded to HES by email on 1 July 2019, stating that as part of proposed mitigation, Asset 14 will be clearly demarcated with protective fencing. This will comprise a permanent post and rail fence, appropriate signage, and a toolbox talk for contactors.</p>	
Scottish Environmental Protection Agency (SEPA)	
<p><u>General</u></p> <p>Letter issued providing information on outcome of the DMRB Stage 2 assessment/preferred option on 19 December 2017. Response received from SEPA on 26 January 2018 noting further information will be required including modelling and clarifications in relation to the hydrology and flood risk methodology.</p> <p>Email sent on 14 March 2018 to check the SEPA Flood data from March 2016 was most recent data available. Response received on 28 March 2018 which confirmed that it was.</p> <p>Data request sent on 30 March 2018, including:</p> <ul style="list-style-type: none"> • Groundwater abstraction and discharge licences; • SEPA water quality monitoring information; • Details of licensed surface water abstractions and discharges authorised under CAR licences; • Incidence or flooding and any previous Flood Risk Assessments (FRAs) undertaken in vicinity of the proposed route; • MImAS assessments based on the Jacobs field survey data; and • Rainfall data. <p>Information was provided by SEPA within several emails between April 2018 and June 2018.</p> <p>Jacobs issued draft Chapter 13 (Road Drainage and the Water Environment) to SEPA on 28 February 2019, and Appendix A13.1 (Flood Risk Assessment), Appendix A13.5 (Watercourse Crossings Report) and Appendix A13.7 (Hydraulic Modelling Report) on 12 April 2019. SEPA provided comments on the draft Chapter 13 and accompanying appendices on 18 April 2019 and 17 May 2019. Jacobs response to SEPA comments on the chapter and appendices was issued in September 2019.</p>	<p>Data provided by SEPA has been utilised in the assessment for Chapter 13 (Road Drainage and the Water Environment).</p> <p>Potential impacts on flood risk and the water environment are considered within the EIAR and reported within Chapter 13 (Road Drainage and the Water Environment) and accompanying appendices.</p> <p>Consultation with SEPA in relation to the hydrology and flood risk methodology was undertaken throughout the DMRB Stage 3 process.</p>

Summary of Consultee Feedback / Discussion	Jacobs Response
<p><u>Flood Risk Hydrology</u></p> <p>Technical Note issued to SEPA from Jacobs on 31 July 2018 aiming to address queries raised by SEPA in their 'Flood Risk Hydrology' response on the DMRB Stage 2 assessment (received 26 January 2018), to present the methodology and baseline results of the DMRB Stage 3 hydraulic modelling (for the Cairnlaw Burn and Scretan Burn); and to consult SEPA regarding the Inshes Burn and the overbridge embankment.</p> <p>Email on 7 September 2018 from SEPA, following Jacobs' response to SEPA's comments on the Stage 2 report in January 2018. SEPA deem the approach to baseline modelling outlined in the Technical Note of 31 July 2018 as reasonable and that they expect to see the full details of that reported in the DMRB Stage 3 chapter. They provided comments on the technical aspects of the modelling presented to date, and comments on the Inshes Burn overbridge, which will require further assessment. If these are not fully addressed, SEPA would have to object at the formal DMRB Stage 3 consultation.</p>	<p>Jacobs responded on 7 September 2018 welcoming SEPA's comments on flood risk.</p> <p>Jacobs issued a Technical Note on 18 January 2019 providing clarification on the issues raised by SEPA in their email of 7 September 2018, as follows:</p> <ul style="list-style-type: none"> Jacobs provided a comparison of the 50% AEP (2-year) FEH Statistical, FEH Rainfall-Runoff and ReFH2.2 design peak flow estimates for the watercourses crossed by the proposed scheme and a comparison of the 0.5% (200-year) FEH Statistical, FEH Rainfall-Runoff and ReFH2.2 design peak flow estimates for the watercourses crossed by the proposed scheme. Jacobs acknowledged SEPA's concerns regarding reconciliation of the model only at the downstream model extent and therefore have undertaken additional model runs in order to reconcile the modelled flows both at the downstream model extent and at each of the upstream culvert crossing locations for the proposed scheme. Jacobs provided clarification on the baseline modelling, which has been undertaken using the current culvert dimensions for the C1032 Barn Church Road culvert. The scheme modelling will include the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme proposed road layout and associated infrastructure (i.e. culvert / realignments). Jacobs will ensure that the model domain extends downstream and includes any changes in the downstream boundary conditions that may influence or impact on downstream receptors. Results indicate that the 0.5% AEP + CC flood event is retained within bank. The flood maps currently present flooding within the floodplain only, as such downstream of the C1032 Barn Church Road culvert no flooding is shown in the figure. Jacobs will minimise any impacts to flood risk through the design and will investigate mitigation measures to offset adverse impacts to flood risk where necessary and practicable. Jacobs have been adapting the design of the road during the design process to avoid flood risk areas where possible. No loss of floodplain storage is anticipated for the Inshes Burn (SWF02) due to the proposed scheme.
<p><u>Scoping Response</u></p> <p>Response to Scoping Report, issued on 13 June 2018, was received on 25 July 2018. SEPA noted the following:</p>	<p>Jacobs provided an update to SEPA's comments on the Scoping Report on 12 March 2019, including the following points:</p>

Summary of Consultee Feedback / Discussion	Jacobs Response
<p><i>'Generally, the approach presented appears suitable, and the likely flood risk impacts have been identified. However, as the EIA will consider the likely impacts in comparison to baseline conditions, we have some concerns that based on the information reviewed at DMRB Stage 2, the baseline has not been fully assessed, and it is not clear how the preferred option (3B) had been selected. SEPA wish to highlight now that a clear and sequential approach to flood risk should be taken when refining the preferred route option, and that we will not accept any increase in flood risk to vulnerable receptors.</i></p> <p><i>Appendix A of the Scoping Report states that at Stage 2 SEPA has not offered an opinion on a preferred route. SEPA considered that insufficient information was presented for us (PCS/156662) to be able to assess the route options. As yet, there has been no information presented to identify how the preferred option was selected, although we anticipate that this will be included in the Stage 3 EIA. SEPA reiterate that we have not seen any of the modelling work used to inform Stage 2 and as yet are unable to agree the conclusions of the Stage 2 study, or agree the baseline flood risk. SEPA refer to our original detailed flood risk comments which were attached in the email dated 26 January 2018 referenced in Appendix A.</i></p> <p><i>From SEPA involvement with the Inverness to Nairn section, we understand that channel and culvert modifications of the Cairnlaw Burn are proposed. SEPA reiterate that it is not clear if these changes have been considered as part of the modelling for the link road. If the interactions between the link road, and the Inverness to Nairn section have not been fully considered then flood risk for both schemes may not be representative.</i></p> <p><i>Option 3B has been selected as the preferred option, although it is not clear how this was identified and can offer no informed opinion on the route selection as yet. SEPA understand that there may be some refinement of the route alignment and as the route is taken forward we would expect a clear and sequential approach to be taken. In the first instance all areas of floodplain should be avoided. Only where floodplain cannot be avoided and it has been demonstrated that there is no viable alternative, should development be located in the floodplain. In such cases where floodplain development is unavoidable, the encroachment onto the floodplain should be minimised as far as possible, firstly by seeking the best layout and secondly by improving the design of the development. Once the areas of unavoidable encroachment have been minimised, mitigation measures should then be designed to ensure the development will have no adverse effect on flood risk, particularly to vulnerable receptors and including consideration of catchment areas downstream of development locations. In some cases, like-for-like compensatory storage will be required for mitigation, but care should be taken that floodplain conveyance capacity is considered as well as storage and measures to address all effects on floodplain processes will be required.</i></p> <p><i>SEPA would like to see more consideration of assessing opportunities for improvement. For instance, where the road crosses a watercourse with significant morphological pressures (embankments, culverts, high impact realignments, lack of riparian vegetation) which is the case certainly for Cairnlaw Burn, the EIAR should look at potential options for restoration improvements. A similar approach to the A9/A96 dualling projects could be taken to help achieve RBMP physical condition objectives by improving a distance upstream and downstream of the crossing. SEPA will require detailed information on overlaps between this and the A9 project, how they will co-ordinate to minimise adverse impacts and maximise improvements.'</i></p>	<ul style="list-style-type: none"> • As reported in a technical note issued to SEPA in January 2019, the baseline flood risk has been fully assessed (using updated hydrology and a linked 1D/2D hydraulic model where appropriate). Jacobs have taken on board SEPA comments and have adapted the baseline assessment where appropriate. Full details of the baseline assessment is provided Appendix A13.2 (Surface Water Hydrology) and Appendix A13.7 (Hydraulic Modelling). • The preferred route option was selected based on a number of criteria including but not limited to flood risk. The route options assessment process took into account the scheme objectives and the Scottish Government's five appraisal criteria, which are: 1) Environment 2) Safety 3) Economy 4) Integration 5) Accessibility and Social Inclusion. • Details of the preferred route option assessment and workshop outcomes are available in the A9/A96 Inshes to Smithton DMRB Stage 2 Scheme Options Assessment Value for Money Workshop Report (2017), available online as Appendix A22.1 of the DMRB Stage 2 Scheme Assessment Report: https://www.transport.gov.scot/publication/dmrbs-stage-2-assessment-report-a9-a96-inshes-to-smithton. • The proposed scheme has been optimised during the design process to minimise potential impact on the water environment. Any increase to flood risk due to the proposed scheme will be mitigated against where appropriate. • The with scheme hydraulic modelling includes modifications to the Cairnlaw Burn as a result of the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme. • As noted above the preferred option has been selected based on a number of criteria. The Jacobs water team have played an important role in the route selection / road design process. Where floodplain encroachment cannot be avoided by the proposed scheme, the team provided input into the design process to adapt the road to minimise potential impacts. Mitigation measures have been considered in order to achieve a neutral impact on flood risk where practicable. • Opportunities to provide morphological improvements to Cairnlaw Burn have been explored as part of the proposed scheme, particularly where high impact realignments currently exist and upstream/downstream of proposed crossing structures. The approach to morphological improvements is in alignment with the approach currently being undertaken for the A96 Inverness to Nairn scheme and will aim to contribute to River Basin Management Plan (RBMP) physical condition objectives. Jacobs will be providing morphological enhancements to off-set the proposed activities within either the directly affected river catchments or associated catchments to help Transport Scotland deliver its statutory duty under the Water Framework Directive (WFD). The assessment accounts for recent consultation with SEPA undertaken as part of the A96 Inverness to Nairn Controlled Activities Regulations (CAR) application process and considers any cumulative impacts.

Summary of Consultee Feedback / Discussion	Jacobs Response
<p><u>Flood Risk Hydrology</u></p> <p>Email received from SEPA on 4 February 2019 with further flood risk comments in response to the Technical Note issued on 18 January 2019:</p> <p><i>'The proposed approach to the baseline modelling as outlined in the Technical Note appears reasonable, and we expect to see the full details of that now reported at Stage 3. We have provided some comments on the technical aspects of the modelling presented to date, and comments on the Inshes Burn overbridge, which will require further assessment...</i></p> <ul style="list-style-type: none"> • <i>...To allow a full review of the hydrology, the catchment boundaries, and NGRs for the inflows should be provided.</i> • <i>...Information should be provided to demonstrate that the 1 in 200 year functional floodplain is being fully represented in the model at the key locations of interest where the road impacts on the floodplain.</i> • <i>...the extent of realignment should be clarified and the flood extents for the full model schematic, as shown in Figure 4, provided.</i> • <i>...From our involvement with the Inverness to Nairn section, we understand that part of the proposed works involve extending the existing culvert under Barn Church Road (C03). From the information presented it is not clear if these works will impact the Inverness to Smithton scheme or if this has been accounted for in the model as there is no reference to it within the Technical Note. Therefore, this should be clarified, and if necessary the modelling amended to ensure all structures are fully represented.</i> • <i>...We would now expect to see a detailed report on both the baseline model, and the 'with scheme' model at Stage 3. The Stage 3 reporting should provide full details on the parameters used, and modelled outputs for review.</i> • <i>...No increase in flood risk will be acceptable as a result of the road or associated works, and the information presented at Stage 3 will have to be sufficiently detailed and robust to demonstrate that this is the case.</i> • <i>...at Stage 3 we would expect to see detailed quantitative information to demonstrate that there would be no increase in flood risk and no net loss of floodplain capacity as a result of the scheme.</i> • <i>...While the Technical Note states that the embankments are not in the active floodplain, based on the initial assessment the proposed works could impact on flow paths, and so the flood risk to others would need to be assessed and quantified.'</i> 	<p>A Flood Risk Assessment (FRA) has been undertaken and is included within the EIAR as Appendix A13.1 (Flood Risk Assessment) and Appendix A13.7 (Hydraulic Modelling Report). Jacobs have incorporated and provided clarification SEPA's comments on flood risk and hydrology into the DMRB Stage 3 assessment where practicable, prior to issuing to SEPA for review.</p> <p>Draft Chapter 13 (Road Drainage and the Water Environment) and accompanying appendices (excluding Appendix A13.1, Appendix A13.5 and Appendix A13.7) were issued to SEPA on 28 February 2019 for comment. Draft Flood Risk Assessment (Appendix A13.1), Watercourse Crossings (Appendix A13.5), and Hydraulic Modelling Report (Appendix A13.7) were issued to SEPA on 12 April 2019 for comment.</p>
<p><u>Hydromorphology</u></p> <p>SEPA provided comments on hydromorphology following their review of draft EIAR chapter and appendices on 18 April 2019. General SEPA morphological comments were as follows:</p> <p>:</p>	<p>Jacobs provided a response to SEPA on 20 August 2019. Summary of responses and updates to the EIAR are as follows:</p>

Summary of Consultee Feedback / Discussion	Jacobs Response
<p><i>'The current draft EIA is reasonably comprehensive and appears to identify most of the high level morphological impacts of the scheme and appropriate mitigation. The fluvial geomorphology assessment does give a good description of current processes operating on the watercourses, though we would have liked to see more interpretation of how this deviates from natural conditions and why. As it stands there is no detailed design information included in the form of tables with activity footprints and the stage 3 design drawings. This makes it difficult to determine whether all potential impacts have been identified or to provide comments on the current designs that could be taken forward into development of the detailed and specimen designs. However, based on the information presented a consentable solution is likely under CAR. As detailed above due to an error in the official Cairnlaw Burn waterbody line none of the proposed activities appear to be on a baseline waterbody. Whilst we have not carried out an environmental standards test the worst case scenario on a non-baseline waterbody is that the proposals have to undergo a good practice test, but SEPA always promote good practice anyway. We strongly recommend that SEPA are engaged during future design development.'</i></p>	<ul style="list-style-type: none"> Issue related to the 'true' waterbody line of Cairnlaw Burn is noted by Jacobs, but at the time of publication of the EIAR, the water body line remains. Text in appendices amended to note the likely future change. In response to SEPA's comment regarding interpretation of deviations from natural conditions, Jacobs stated: <i>'The majority of watercourses in the study area have had in excess of 150 years to adjust to their current hydrophysiographic conditions and recover stable morphology under those constraints. Given that it is challenging to determine what their original and unmodified condition had been prior to available mapping, current stable typologies are considered appropriate at this stage'.</i> Jacobs noted that the DMRB Stage 3 design consists of an outline design for the scheme. Detailed design will be undertaken as part of the Specimen design and submitted to SEPA in the process of application for CAR Licences. Jacobs noted the value of geomorphological input during Specimen design and construction works. Text of Mitigation Item WO-02 amended to state <i>'an experienced fluvial geomorphologist will input to the design of all watercourse crossings and associated engineering activities where appropriate.'</i> Jacobs noted that options for further enhancements e.g. morphological improvements will be considered further in the Specimen design phase and the resulting design will be presented with site-specific justification in the CAR licence application(s).
<p><u>Flood Risk Hydrology</u></p> <p>SEPA provided comments on flood risk following their review of draft EIAR chapter and appendices on 17 May 2019. General comments on flood risk were as follows:</p> <p><i>'The supporting FRA and reports explain in more detail the approach taken, and has been justified by Jacobs. Generally based on the information provided, we are able to agree with the conclusions made by Jacobs regarding the principles of the hydrology approach and set up of the model, although we note a few observations that we have discussed in further detail below.'</i></p> <p>A summary of the points raised by SEPA are as follows:</p> <ul style="list-style-type: none"> SEPA requested further clarification to fully understand the mitigation proposals, and the potential impacts elsewhere. SEPA queried whether all receptors in the study area had been identified. SEPA requested they be consulted on the final design solutions for specific mitigation items. SEPA content with the detail provided in the hydrology report, however the resolution of Figure 3 should be clearer as it is difficult to see where the points of interest are located. 	<p>Jacobs provided a response to SEPA on 30 August 2019. Summary of responses and updates to the EIAR are as follows:</p> <ul style="list-style-type: none"> Jacobs provided further clarification on the mitigation proposals to SEPA. Jacobs checked all flood risk receptors and are content that all receptors have been assessed in the current version now we have resolved the pass-forward flow and stage issues at the downstream boundary. As requested a statement noting SEPA are required to be consulted on mitigation WO-02, WO-03, WO-10, WO-11 and WO-12 was added to EIA Chapter. Figure 3 in Appendix A13.2 (Surface Water Hydrology) updated as requested by SEPA. Regarding the model instabilities, model updates have been undertaken and SEPA will be consulted as requested at Specimen design stage. Jacobs provided further details of flood storage areas. Jacobs noted that the element of mitigation on the left bank of the Scretan Burn has now been superseded and it is now proposed to pass more of the flood flows underneath the scheme via two larger flood relief culverts.

Summary of Consultee Feedback / Discussion	Jacobs Response
<ul style="list-style-type: none"> SEPA noted that Jacobs have highlighted a few issues with the model performance, and this has been discussed further within the hydraulic modelling report. The instabilities in the model have been explained, however SEPA would like to review any future design changes and any updated modelling to ensure that there is no impact on flood risk. SEPA noted that further details of the operation of the attenuation basins and how the water is attenuated then released post-flood is required. SEPA requested further details on the left bank of the Scretan Burn upstream of C01 as being part of the flood mitigation strategy, as was not clear from the information provided how this will occur. SEPA noted that the works to culvert C05 have been committed to in Table 13.19 of Chapter 13 of the EIA so any changes to design will need to be reassessed for flood risk. SEPA requested clarification that both flood storage areas (SB4 and CB2) have been identified and committed to in the mitigation proposals. SEPA queried consistency between mitigation measures outlined in Appendix A13.1 (Flood Risk Assessment) and Chapter 13 (Road Drainage and the Water Environment). SEPA queried the outcome of the assessment regarding flood levels at Inverness Campus (eliminating the risk). SEPA requested that as the detailed design progresses, the EIA should be revised to ensure that any changes to the channel as a result of the morphological improvements do not create an adverse impact for flood risk at downstream receptors. 	<ul style="list-style-type: none"> Jacobs noted the comment in regard to crossing C05. The flood risk associated with the proposed culvert has been a key factor in the Stage 3 design of this crossing, hence should the design change post-Stage 3, the flood risk impacts would be reassessed as an integral part of that process. Jacobs updated mitigation including implementation of a flood storage area (Mitigation Item WO-15). Regarding consistency between the Appendix A13.1 (Flood Risk Assessment) and Chapter 13 (Road Drainage and the Water Environment), this may have been due to continued updates to the modelling. The mitigation for the proposed scheme has been updated and therefore the EIAR and Flood Risk Assessment have been updated and checks made across both documents to ensure consistency. Jacobs noted that mitigation measures have since been superseded. The updated model runs indicate that flood risk to Inverness Campus is significantly reduced for the 'with scheme with mitigation' scenario for the design flood event. Jacobs noted that geomorphological improvements are not anticipated to have any impact on flood risk. Any geomorphological improvements will be considered in more detail at specimen design stage.
<p><u>Waste and Materials</u></p> <p>Draft EIAR Chapter 12 (Geology, Soils, Contaminated Land and Groundwater), Chapter 13 (Road Drainage and the Water Environment) and Chapter 17 (Materials) issued to SEPA in February 2019 for comment.</p> <p>SEPA provided comments relating to the Chapter 12 (Geology, Soils, Contaminated Land and Groundwater) and Chapter 17 (Materials) on 13 March 2019. SEPA were in agreement that all identified Private Water Supplies (PWS) are outside prescribed buffers, so no further investigation or information is required. SEPA noted that consideration should be included to on-site treatment of contaminated land.</p>	<p>Comments provided by SEPA on Chapter 12 (Geology, Soils, Contaminated Land and Groundwater) were addressed in the EIAR. In particular, Jacobs amended text in the chapter to state that if excavated soils are deemed unsuitable for reuse, a waste strategy will be developed. This should consider on-site treatment as well as waste disposal.</p>

Summary of Consultee Feedback / Discussion	Jacobs Response
Scottish Natural Heritage (SNH)	
<p>Letter issued on 19 December 2017 providing information on outcome of DMRB Stage 2 assessment / preferred option. Email received on 25 January 2018 confirming that SNH had no particular comments at this time.</p> <p>On 24 May 2018 the DMRB Stage 2 Habitat Regulations Appraisal (HRA) Screening was issued for comment. SNH provided a response on 13 June 2018, stating that they agree with the conclusions and have no additional comments to make.</p> <p>Scoping Report issued to SNH on 13 June 2018. Response received on 11 July 2018 stating scope of the assessment, outlined in the report, is appropriate with regards to SNH's remit. SNH have provided advice at various stages throughout the development of the proposal, and previous comments remain applicable. SNH agreed with the screening out of the Moray Firth Special Area of Conservation (SAC) at the DMRB Stage 2 HRA, based on the information provided. SNH agree with the sites outlined for inclusion in the proposed HRA in the scoping report and confirmed that they are happy to provide advice on the HRA as required. The list of species outlined for survey work is appropriate. Based on the information provided SNH should be able to adequately assess the potential impacts and advise on suitability of mitigation. Even with appropriate mitigation, depending on what the survey work shows, a species licence may be required. If that is the case SNH advise early engagement with the SNH licensing team to help address any licensing issues.</p> <p>Email issued on 15 January 2019 to SNH regarding results of bat monitoring undertaken for the proposed scheme, advising that the detailed sound analysis narrowed down the species identified to two. Jacobs ecologists considered that the bat species is likely to be a vagrant rather than part of a resident population and as a high-flying species they would not be impacted by the proposed scheme. No response received from SNH.</p> <p>Draft EIAR Chapter 11 (Ecology and Nature Conservation) and draft HRA issued to SNH on 6 February 2019 for comment.</p> <p>Response received from SNH on 12 March 2019 stating:</p> <p><i>'Thank you for submitting the EIAR and HRA for our comments. I can confirm we are content with the conclusions in the HRA and have no further comments in relation to the natura sites in proximity to the A9/A96 Inshes to Smithton link.</i></p> <p><i>The ecology section addresses a number of issues within our remit, and the information provided outlines the relevant potential impacts and appropriate mitigation. There is still some detail to be provided in the CEMP, and 11.5.7 etc. but I agree with the conclusions, and the proposed mitigation is appropriate.'</i></p>	<p>Potential impacts on ecology and conversation including on protected species and designated sites are considered within the EIAR and reported within Chapter 11 (Ecology and Nature Conservation).</p> <p>Jacobs is aware of the requirement for a protected species licence in instances where these species may be impacted by the proposed scheme, and will consult with SNH early to assist in obtaining a licence should one be needed.</p>
The Highland Council	
<p><u>Planning and Building Standards</u></p> <p>Requested and received planning applications November 2015 to November 2017, on 5 December 2017.</p>	<p>Jacobs provided a response to The Highland Council's comments on the Scoping Report on 12 March 2019, including the following points:</p>

Summary of Consultee Feedback / Discussion	Jacobs Response
<p>Scoping Report issued to The Highland Council on 13 June 2018. Response to Scoping Report received on 10 August 2018 which confirmed that they were generally content with approach: <i>'Scoping Report is well set out and consistent with good practice highlighting the extent of the works involved, alternatives considered etc., and it highlights the expected programme for the publication of Draft Orders and EIAR.'</i> A number of points were raised as follows and how Jacobs has addressed these is included:</p> <ul style="list-style-type: none"> • The proposed link road should take into account land allocations for development that will be affected by the proposal, such as the Highland-wide Local Development Plan (2012), the Inner Moray Firth Local Development Plan (2015) and the Inverness East Development Brief (2017). • The cumulative impacts from multiple development projects that may be undertaken in the area at the same time has been highlighted in the Scoping Report. • The response from HES confirms that Culloden House and Gardens and Designated Landscape, Culloden Battlefield and Culloden House and its associated buildings are to be retained in the baseline for further assessment. • The Highland Council's Archaeologist has advised that the methodology and scope set out are acceptable and that the EIAR chapter will need to follow the Highland Council Standards for Archaeological Work. • SNH have advised that the scope of assessment outlined in the Scoping Report is appropriate with regards to its remit. SNH agree with screening out of the Moray Firth Special Area of Conservation (SAC) at DMRB Stage 2 and with the sites proposed for inclusion in the HRA. SNH consider the list of species outlined for survey work as appropriate and note that a species licence may be required, and this would involve early engagement with their licensing team. • The Highland Council Transport Planning advised that some of the proposed topic chapters in the Scoping Report include the assumption that the A96 dualling scheme will be operational prior to the proposed scheme and has therefore been incorporated into the Do-Minimum scenarios for the EIA. It should be noted that if there was a delay to the A96 dualling scheme and the A9/A96 link scheme was progressed first, some of the data may not give a true reflection of the issues being addressed. • Potential air quality impacts during construction phase do not make any reference to the potential impacts from increased congestion and delay on existing roads as a result of Traffic Management (TM). EIAR should consider whether any remedial measures are warranted, such as specific guidance on what would and/or what would not be acceptable TM arrangements. The possibility of impacts from TM during construction could have implications for People and Communities. Increased congestion and delay as a result of TM could deter NMUs, therefore the EIA should consider the implications of this and any mitigation needed. • The Highland Council support the undertaking of predictions of ground-borne vibration levels for any percussive / vibratory piling or compaction works. Suggest that likely locations for these could include the new overbridges proposed over the A9 and the mainline railway, given their proximity to properties in Inshes and Cradlehall. • If a noise assessment is submitted it should be carried out in accordance with BS 5228-1: 2009 + A1: 2014. Details of any mitigation measures should be provided, including proposed hours of operation. 	<ul style="list-style-type: none"> • Jacobs is aware of the potential for cumulative impacts to occur due to the local aspirations and plans for development of the area, and The Highland Council has been consulted regarding the inclusion of developments in the Chapter 19 (Assessment of Cumulative Effects). • As described above, Jacobs have responded to HES to confirm that Jacobs are happy to consider the Culloden House Garden and Designed Landscape (GDL) in the Landscape assessment for consistency with the Cultural Heritage chapter, although do not anticipate any significant landscape impacts. • The proposed scheme is dependent on the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme being in place first, or at least under construction, and the methodology of the EIAR is based on this assumption. The assessment considers the predicted changes in traffic flows as a result of the proposed scheme and the A96 dualling scheme and the potential environmental factors (such as drainage, water quality, air quality, noise and vibration) based on this traffic data. If the A96 dualling scheme were not considered as part of the assessment, the EIA would have to incorporate some or all of Smithton Junction, and the proposed scheme would therefore have to be re-assessed. • The traffic data provided and used within the air quality assessment in the EIAR is operational, and would not account for the construction phase Traffic Management (TM) congestion. Construction traffic is considered, but only in terms of the impact of construction plant traffic on the network. The impacts of TM are not usually incorporated into the assessment, as designs can be amended, and location/duration of TM would not be known/quantified at this stage. • The new overbridges proposed over the A9 Perth to Inverness Trunk Road and mainline railway will be considered when undertaking predictions of ground-borne vibration levels during construction of the proposed scheme. • The scoping response states that a construction noise assessment will be required "where it is proposed to undertake work, which is audible at the site boundary, outwith the hours Mon-Fri 8am to 7pm; Sat 8am to 1pm". Audibility of construction work will be difficult to ascertain prior to that work being undertaken because it depends on the existing noise climate, which is unlikely to be constant. Also, audibility does not relate to significance of noise impact as required by BS 5228-1: 2009 + A1: 2014. It is instead suggested that if, during construction, it is proposed that works are undertaken outwith the indicated hours, the proposed works are discussed with The Highland Council Environmental Health Department to agree whether a construction noise assessment is required, or whether noise from the works can be satisfactorily addressed by the application of best practicable means. • The scoping response provides two circumstances where a construction noise assessment will be required. One is discussed above, and the other relates to the exceedance of absolute noise levels for short and long term works. The scoping

Summary of Consultee Feedback / Discussion	Jacobs Response
<ul style="list-style-type: none"> The Highland Council are in agreement with the proposed methodology for operational noise and baseline monitoring locations were agreed with the applicant's consultant (see below). The application should include a scheme for the suppression of dust likely to affect sensitive receptors. The Highland Council expect that the discharge of surface water from the scheme to any receiving watercourses to be limited to the existing pre-development rate for all storms up to and including the 200 year plus climate change return period event. The Highland Council ask that supplementary guidance on Flood Risk and Drainage Impact Assessment be used to help inform the design. The Highland Council are satisfied with the scope of the Flood Risk Assessment (FRA) to be carried out. The proposed route will cross watercourse/floodplain at a number of locations; The Highland Council ask to be consulted on any proposed mitigation options. Particular watercourses of note for assessment in an FRA are: Dell Burn, Beechwood Burn, Scretan Burn and the various tributaries of the Cairnlaw Burn. <p>Meeting minutes from 1 November 2018 were prepared by Jacobs and sent to The Highland Council on 28 November 2018, about seeking feedback on the evolving landscape mitigation proposals for the scheme and to discuss them in the context of the Inverness East Development Brief and The Highland Council aspirations for the area. For a summary of meeting and responses refer to The Highland Council - Landscape response in Table 2.</p> <p>Jacobs sent a letter to The Highland Council on 9 January 2019 regarding the basis for the agreement for the interface of the A9/A96 Inshes to Smithton scheme and the Inshes Junction Improvements - Phase 2.</p> <p>Meeting of The Highland Council Working Group held on 16 January 2019. Jacobs provided an update on the proposed scheme, including details of NMU routes and accesses. The Highland Council provided an update on Inshes Junction Improvements - Phase 2. Meeting minutes issued by Jacobs on 5 April 2019.</p> <p>Meetings and consultation were held between The Highland Council Flood Risk Management Team and Jacobs in January and February 2019. For a summary of meeting and responses refer to The Highland Council – Flood Risk Management response in Table 2.</p> <p>Jacobs response to Scoping Report comments issued to The Highland Council on 12 March 2019.</p> <p>Meeting of The Highland Council Working Group held on 26 April 2019, where the A9/A96 Inshes to Smithton & A9/A82 Longman Junction Improvement schemes were discussed. Jacobs provided an update on the A9/A96 Inshes to Smithton scheme noting the scheme dependencies including the A96 Dualling Inverness to Nairn and Inshes Junction Improvements - Phase 2 scheme. The Highland Council provided an update on the Inshes Junction Improvements – Phase 2 scheme, noting that they have been modelling tie-in options to investigate the best solution. Meeting minutes issued by Jacobs on 12 June 2019.</p>	<p>response also states that that any construction noise assessment should be carried out in accordance with BS 5228-1: 2009 + A1: 2014. Jacobs request clarification that any construction noise assessment undertaken would be based on the thresholds for significant effects provided in BS 5228-1: 2009 + A1: 2014 (i.e. the ABC method or 5dB(A) change method), and not the absolute noise levels mentioned in the scoping response.</p> <ul style="list-style-type: none"> The air quality assessment will consider and incorporate a construction dust assessment and recommend mitigation measures where appropriate. <p>All potential impacts on cultural heritage assets are considered within the EIAR and reported within Chapter 14 (Cultural Heritage).</p> <p>Potential impacts on flood risk and the water environment are considered within the EIAR and reported within Chapter 13 (Road Drainage and the Water Environment).</p> <p>A Flood Risk Assessment (FRA) has been undertaken and is included within the EIAR as Appendix A13.1 (Flood Risk Assessment).</p> <p>A dust assessment has been undertaken and is included within the EIAR within Appendix A7.3 (Air Quality).</p> <p>The EIAR has taken into account land allocations for development such as the Highland-wide Local Development Plan (2012), the Inner Moray Firth Local Development Plan (2015) and the Inverness East Development Brief (2017). Future development land is considered as part of the baseline and assessed in technical chapters where relevant and discussed further in Chapter 15 (Community and Private Assets), Chapter 18 (Policies and Plans), and Chapter 19 (Assessment of Cumulative Effects).</p>

Summary of Consultee Feedback / Discussion	Jacobs Response
<p>Meeting held of The Highland Council Working Group held on 18 June 2019. Jacobs provided an update on the proposed scheme including details of landowner consultation and environmental mitigation proposals.</p> <p>The Highland Council provided updates on the NMU route at Raigmore Interchange and Inshes Junction Improvements – Phase 2 proposals. Meeting minutes were issued to The Highland Council for comment in September 2019.</p> <p>Email issued to The Highland Council on 1 August 2019 providing details of the proposed developments included in the cumulative assessment and outlining the approach and methodology. Response received from The Highland Council on 15 August 2019 thanking Jacobs for the opportunity to comment. The Highland Council stated that <i>'based on the information provided it is clear that the relevant planning consents and Local Development Plan documents have been considered.'</i> The Highland Council had no further comments or questions on the cumulative assessment.</p>	
<p><u>Environmental Health Officer (EHO) (Robin Fraser)</u></p> <p>Jacobs sent information to the EHO regarding noise monitoring locations and methodology on 22 January 2018. EHO responded confirming agreement on 29 January 2018.</p>	<p>Noise monitoring has been undertaken and included as part of the noise assessment (Chapter 8: Noise and Vibration).</p>
<p><u>Historic Environment Team</u></p> <p>Consultation letter sent to The Highland Council HET on 13 March 2018 regarding the approach and scope of assessment and detailing designated assets within 2km of the proposed scheme whose setting may be affected. Response received 14 March 2018 confirming that the approach outlined looked adequate.</p> <p>Further consultation letter sent on 13 June 2018 regarding designated assets initially identified within 2km of the proposed scheme, whose setting (following additional baseline data gathering and the development of the ZTV) is not predicted to be affected and whether these can be scoped out of the baseline and further assessment. The letter also asked whether The Highland Council HET were content to act as curator. Response received 14 June 2018 stating that The Highland Council were content with the revised list of assets to be scoped into the assessment, but noted that The Highland Council would not be able to offer curatorial services at this point.</p> <p>Geophysical survey results provided on the 7 August 2018 for comment. Information provided by a local landowner suggested that the site of a former castle at Ashton Farm was in proximity to the proposed scheme and also noted that historic carved stones were embedded in the Ashton Farm farmhouse garden wall. The Highland Council HET were asked to comment on the interpretation of the building at Ashton Farm on 7 August 2018.</p> <p>Email issued to The Highland Council HET on 24 August 2018 asking for a response to the geophysical survey report and building query. Response received 27 August 2018 noted that the features surrounding the Scheduled Monument should be treated as if Scheduled, if the Scheduled Areas were not to change, and that they would expect that they would be subject to further mitigation starting with an evaluation by trial trenching.</p> <p>In an email dated 27 August 2018 The Highland Council HET stated that information on decorative stones (included a date stone inscribed '1669' now located in the wall at Ashton Farm) and that flagstones had been identified in a nearby field had been received, but had not yet been entered on the Highland Historic Environment Record (HER).</p>	<p>All potential impacts on cultural heritage assets are considered within the Environmental Impact Assessment Report (EIAR) and reported within Chapter 14 (Cultural Heritage).</p> <p>Impacts on assets of historical value will be kept to a minimum as far as possible and where necessary mitigation measures are proposed and reported in the EIAR.</p>

Summary of Consultee Feedback / Discussion	Jacobs Response
<p>They also stated there is no further evidence for a castle in this location and agree with Jacobs' interpretation that a building visible on historical mapping was an agricultural outbuilding.</p> <p>A consultation letter was sent to The Highland Council HET 2 October 2018 detailing the approach to the impact assessment and the proposed mitigation for review, and inviting further discussion. In the response dated 8 November 2018, The Highland Council HET advised they were pleased with Jacobs' approach of trial trenching to inform excavation. They required we keep them informed as work progresses. An email clarifying that no further work would be undertaken to inform the EIAR and that trial trenching to be undertaken after the proposed scheme had been consented was sent to The Highland Council's Historic Environment Team on 9 November 2018.</p>	
<p><u>Development and Infrastructure</u></p> <p>Request sent on 20 April 2018 for updates since the DMRB Stage 2 assessment on datasets for the following Core Paths Wider Network; Quarries; Private Water Supplies (PWS); Tree Preservation Orders (TPO); Local Nature Reserves (LNR); and Culloden Muir Conservation Area.</p> <p>PWS register provided on 17 April 2018. No updates to any of the other information since it was originally supplied in 2016 for the DMRB Stage 2 assessment.</p>	<p>No further response required.</p>
<p><u>Integrated Transport</u></p> <p>Consultation undertaken through EIA Screening and Scoping exercise (refer to The Highland Council in Table 1) and ongoing consultation including regular The Highland Council/Transport Scotland workshops.</p> <p>Meeting held on 19 September 2019 with The Highland Council, D&E Coaches, Highlands and Islands Transport Partnership (HITRANS) to discuss the implications on public transport in relation to the proposed scheme. Meeting minutes issued to The Highland Council transport officer on 19 September 2019. Jacobs explained the scheme background and gave an update on the design development of the selected variant since the preferred option public exhibition in May 2018. It was noted that draft Order publication is programmed for early next year (i.e. 2019). Jacobs noted that the delivery of the proposed scheme is dependent on a number of factors, which require to be in place prior to its construction. These included:</p> <ul style="list-style-type: none"> • A96 Smithton roundabout - forms the tie-in at the A9/A96 Inshes to Smithton scheme's eastern extent. Jacobs advised that the A96 Dualling Inverness to Nairn scheme is going to Public Local Inquiry (PLI) in October 2018, and that the programme for construction could not be determined until the outcome of the PLI is known. • Western end of the A9/A96 Inshes to Smithton scheme - tie into B9006 Culloden Road is dependent on The Highland Council completing their planned 'Inshes Junction Improvement - Phase 2' works, which includes improvements to the Inshes Roundabout and adjacent infrastructure. 	<p>No further response required.</p>
<p><u>Landscape</u></p> <p>Consultation undertaken through EIA Screening and Scoping exercise (refer to The Highland Council in Table 1) and ongoing consultation including regular The Highland Council/Transport Scotland workshops.</p>	<p>Jacobs response to the points raised by The Highland Council landscape architect are as follows:</p> <ul style="list-style-type: none"> • Additional heavy standard trees have been added in several locations by the ecologists to encourage bat use of mammal crossing points and maintain

Summary of Consultee Feedback / Discussion	Jacobs Response
<p>Jacobs requested a meeting with The Highland Council landscape architects on 25 October 2018 to discuss the draft landscape and visual mitigation for the proposed scheme in relation to the Inverness East masterplan. Jacobs issued draft landscape proposals prior to the meeting by email on 31 October 2018. Meeting held between Jacobs Landscape team and The Highland Council Planning Officer, Forestry Officer and Landscape Architect on 1 November 2018. The following points were highlighted by The Highland Council at the meeting, and Jacobs responses are listed under each point:</p> <ul style="list-style-type: none"> • Expressed desire for additional tree planting extending out each side of the route to enrich field margins / improve habitat linkages where possible. • Stressed the importance of pedestrian and cyclist desire lines taking precedence over vehicle movement along Link 3 and not as currently shown. • Requested that gaps in avenues are provided along Link 4 to enable future provision of formal and advisory pedestrian crossing. • Suggested that a proportion of woodland to the south of Cradlehall Roundabout should be removed or other mitigation proposed to enable planned Inverness Campus development in this area as per the IEDB masterplan. • The Highland Council queried whether the woodland species mixes suggested in the landscape mitigation plans can be based on National Vegetation Classification communities (NVC). • The Highland Council queried the proposed woodland planting density suggesting that overly dense planting can cause maintenance issues. • The Highland Council suggested that woodland planting structure on the embankment facing Cradlehall Meadows is tapered, i.e. taller plants are placed towards the bottom of the embankment with smaller plants toward the proposed scheme. • Queried the proposed SuDS design and whether it would be improved prior to the publication of the EIA. They highlighted that it is critical that the design of the SuDS proposed adjacent to and viewed from the Golden Bridge is appropriate to the status of this location. They also queried the lack of planting within and around the SuDS and stressed that the proposed SuDS should feel like a part of the public landscape, with appropriate access, design, vegetation providing biodiversity and visual amenity benefits and without the need for unsightly fencing. • The Highland Council queried if planting around Cradlehall Meadows would just be for landscape and visual mitigation or for noise as well. 	<p>connectivity. These trees have been positioned to tie in to existing hedgerows and trees along field margins and watercourses on both sides of the route. They also have a landscape benefit by helping to integrate the scheme with the surrounding landscape.</p> <ul style="list-style-type: none"> • Gaps in the avenues have been provided to accommodate future pedestrian and cyclist crossings. Both the landscape mitigation design and the locations of the formal and advisory crossings shown in the IEBD Masterplan along the 'East Link' are indicative only at this stage. • Following Jacobs' meeting with The Highland Council, the Jacobs Landscape Team met with Highlands and Islands Enterprise (HIE) who currently own the land to the south of Cradlehall Roundabout and who were keen on the woodland planting to be provided as part of their commitment for providing green space to the community. In any event, it has been confirmed by the Jacobs Highways team the land in this area has to be purchased for construction. • Confirmed this approach would be taken to woodland planting species. The indicative species composition for the larger blocks of proposed woodland are broadly based on NVC, whilst aiming to accommodate the possibility of a 1 in 200 years flood event. The exception to this would be the strip of proposed woodland along the Inverness Campus western boundary where Highlands and Islands Enterprise have requested a like for like replacement for any woodland lost, which means that a mix of native and ornamental species would be included. • Jacobs advised that 1.5m spacing for planting density had been agreed on a recent Transport Scotland scheme. The Highland Council stated they were content with this. • A tapered planting structure has been taken into consideration during the mitigation design development, which has also been influenced by different discipline requirements. The land take in this area has increased since the consultation with the Jacobs Water Team requiring re-grading for flood prevention and ecologists requiring scrub foraging habitats below the embankment as well as the heavy standard trees to encourage bat use of nearby crossing. As such there would likely be varying heights throughout this area, but more detail would be provided at specimen design stage. • Jacobs fed back comments regarding SuDS to the Highways team. The proposed SuDS in the vicinity of the Golden Bridge have been removed as part of the design update. With regards to the remaining SuDS, the Landscape team requested the required attenuation volumes and levels from Highways in order to be able to redesign the engineered SuDS. Highways provided the information requested and this was used to produce the refined wetlands design which was included in the EIAR.

Summary of Consultee Feedback / Discussion	Jacobs Response
<ul style="list-style-type: none"> Queried whether the noise assessment would take account of the proposed scheme's impact on the railway, i.e. that the indicative wing walls could amplify the noise of the train passing under the Cradlehall Railway Underbridge. <p>Minutes of meetings on 1 November 2018 issued to The Highland Council for comment on 28 November 2018. The Highland Council provided comments on the meeting minutes on 29 November 2018. Jacobs incorporated these and returned the final version of the minutes to The Highland Council on 30 November 2018, stating that the various actions would be progressed.</p>	<ul style="list-style-type: none"> No noise mitigation is proposed as a result of the EIA. DMRB Noise and Vibration does not require an assessment of changes to noise from a railway line as a result of a proposed road scheme and this is therefore not considered in the EIAR. Notwithstanding this, given the distance between the proposed Cradlehall Railway Underbridge to the nearest noise sensitive receptors, and the partial screening of the railway line that the proposed scheme's topography would introduce, it is considered that significant adverse noise impacts due to acoustic reflections from the underbridge structure are unlikely.
<p><u>Flood Risk Management</u></p> <p>Request made for information on flood risk incidents recorded in proximity to the proposed scheme on 20 March 2018. Information on flooding incidents in the area of the proposed scheme was provided by The Highland Council on 29 March 2018. Confirmed that The Highland Council has not produced a Flood Risk Assessment (FRA) for the area east of Inverness, but that one has been produced by a private developer for a nearby development.</p> <p>Meeting held between The Highland Council Flood Risk Management Team and Jacobs on 29 January 2019. Jacobs provided an update on the flood risk work associated with the proposed scheme and discussed the need for a departure from DMRB standard in relation to a drainage culvert. Following the meeting, an email was received from The Highland Council on 13 February 2019 requesting further information on the departure. Jacobs responded on 14 February 2019 stating that the proposed departure related to the DMRB standard for 'headroom' within the culvert during the 200-year event, located under the proposed access to the rear of Inverness Business and Retail Park. Jacobs stated that justification and mitigation would be included when the departure was submitted.</p> <p>After carrying out a rigorous review of the culvert and road alignment design, Jacobs made an adjustment to the vertical alignment of the U2820 which allows the headroom at culvert C05 to be increased, thereby removing the need for culvert departure. This was communicated to The Highland Council in an email on 5 July 2019.</p> <p>Draft Flood Risk Assessment (Appendix A13.1), Watercourse Crossings (Appendix A13.5), and Hydraulic Modelling Report (Appendix A13.7) issued to The Highland Council on 12 April 2019 for comment.</p> <p>Skype meeting/teleconference held with The Highland Council Flood Risk team to discuss draft EIAR documents on 25 April 2019. Jacobs provided a summary of the baseline fluvial flood risk, the proposed scheme design and mitigation proposals. A discussion of the drainage strategy and proposed SuDS also took place.</p> <p>The Highland Council Flood Risk Management Team queried the volume of flood water proposed to be stored upstream of the Scretan Burn culvert (C01) as part of the flood risk mitigation and the potential that this might fall under the reservoirs act. Jacobs agreed to investigate this and have subsequently reduced the storage requirements proposed at this location. Beechwood Burn culvert (C05) was discussed and The Highland Council</p>	<p>No further response required.</p>

Summary of Consultee Feedback / Discussion	Jacobs Response
<p>expressed no concerns with regard to flood risk or the proposed mitigation at the time of consultation. The Highland Council Flood Risk team were content with the other elements of flood risk mitigation proposed.</p> <p>The Highland Council Flood Risk team also queried the investigations undertaken with regards to discharges to the Moray Firth via the existing drainage network surrounding the existing A9 and Raigmore Junction. Jacobs confirmed that CCTV and assessments of network capacity have been undertaken and that sufficient capacity exists to support the additional impermeable area discharging to the network.</p>	

Table 2: Summary of Consultation Responses: Non-Statutory Consultees

Non-statutory Consultees	Summary of Consultee Feedback / Discussion and Jacobs Response (where required)
Archaeology Scotland	Consultation letter issued on 18 July 2018 inviting comments on the proposed scheme. No response received to date.
Architectural and Heritage Society of Scotland	Consultation letter issued on 18 July 2018 inviting comments on the proposed scheme. No response received to date.
Bike Revolution	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Botanical Society of Britain & Ireland (BSBI)	Data request sent on 22 March 2018 for any new records added since they were provided for the A96 Inverness to Nairn (including Nairn bypass) scheme. Confirmation received on 22 March 2018 that there are 181 post-2015 records held for the area, but none are on the Scottish, National, or the Red Data Lists.
British Horse Society	Consultation letter issued on 18 July 2018 inviting comments on the proposed scheme. No response received to date.
British Trust for Ornithology (BTO)	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Culcabock and Drakies Community Council	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Cycle Touring Club Scotland (CTC)	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Forestry Commission (Highland & Islands Conservancy)	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Highland Badger Network	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Highland Biodiversity Partnership	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Highland Red Squirrel Group	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Highlands and Islands Transport Partnership (HITRANS)	Consultation letter issued on 18 July 2018 inviting comments on the proposed scheme. No response received to date.
Inverness Access Panel (IAP)	Meeting held with IAP and Mobility and Access Committee Scotland (MACS) on 25 October 2018 led by Highways team at Jacobs. For a summary of the topics discussed at the meeting refer to MACS section below. Email received from IAP on 25 October 2018 with document 'Putting Inverness Streets Ahead' attached, which discusses accessibility issues on the streets of Inverness and suggests methods of improvement.
Inverness Airport (Highlands & Islands Airports)	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Inverness Bat Group	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.

Non-statutory Consultees	Summary of Consultee Feedback / Discussion and Jacobs Response (where required)
Inverness South Community Council	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
John Muir Trust	Consultation letter issued on 18 July 2018 inviting comments on the proposed scheme. Response received on 1 August 2018 expressing thanks for the opportunity to comment but the Trust do not have a particular interest in the area.
Marine Scotland/Marine Scotland Science	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Mobility and Access Committee Scotland (MACS)	<p>Meeting held with IAP and MACS on 25 October 2018 led by Highways team at Jacobs. Jacobs provided background to the proposed scheme and its interdependence with A96 dualling scheme and The Highland Council's Inshes Phase 2 proposals, and how the Inverness East Masterplan was considered throughout the design process. Jacobs provided details of NMU provisions on the proposed scheme. MACS noted a preference for a segregated cyclist and pedestrian facility throughout the scheme with the aim of reducing accidents and injuries arising from cyclists conflicting with pedestrians, particularly those with disabilities and visual impairment.</p> <p>Jacobs noted that the anticipated NMU flows would be relatively low for this area, but that The Highland Council's 'main street', part of the proposals in the Inverness East Development Brief, is likely to be a busier route and therefore a segregated facility would be provided on this section. Jacobs agreed to take away feedback from meeting and consider it throughout the NMU design development.</p>
National Access Forum (NAF)	Consultation letter issued on 18 July 2018 inviting comments on the proposed scheme. No response received to date.
National Farmers Union of Scotland (NFUS)	Consultation email sent on 25 June 2018 requesting comments on proposed scheme. No response received to date.
Ness and Beaully Fisheries Trust	<p>Consultation email sent on 14 June 2018 requesting any information on aquatic receptors and barriers to fish migration in the area of the proposed scheme. No response received.</p> <p>General request for environmental information / comments – letter issued on 7 September 2018. Response received on 7 September 2018 to say that comments would be provided in due course. No further response received to date.</p>
Network Rail	Consultation email sent on 5 May 2018 requesting any flood histories in the area of the proposed scheme. No response received to date.
North Highland Bat Network	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
North of Scotland Cycling Association	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Raigmore Community Council	General request for environmental information / comments – letter issued on 7 September 2018. Response received on 16 September 2018 stating that the letter would be discussed as the next meeting of the Community Council on the 24 September. No further response received to date.
Ramblers Scotland	Consultation letter issued on 7 September 2018 inviting comments on the proposed scheme. No response received to date.
Royal Society for the Protection of Birds (RSPB)	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Scottish Badgers	<p>General request for environmental information / opinion – letter issued on 7 September 2018.</p> <p>Scottish Badgers responded on 23 September 2018 to request specific information relating to location of badger setts to allow them to provide comments. Jacobs sent information from the Confidential Appendix to Scottish Badgers on 16 October 2018.</p> <p>A specific query on sett location was raised by Scottish Badgers on 25 October 2018. Response issued on 31 October 2018 stating that Jacobs were aware of the sett identified but were unable to survey it as they are on an active railway line.</p>

Non-statutory Consultees	Summary of Consultee Feedback / Discussion and Jacobs Response (where required)
	<p>On 29 October 2018, Scottish Badgers responded to state that records suggest there are further setts in the area on top of what has been identified during the Jacobs surveys. Bait marking is recommended to feed into mitigation and reduce numbers of badgers that may need to cross the road to access alternative foraging sites. Further surveys are recommended to identify clan territories and develop appropriate mitigation. Response to queries from Scottish Badgers issued on 14 January 2019. Jacobs outline methodology used as part of EIA, including a desk-based review of data and a walkover survey. Bait-marking was not used as no setts were identified as being lost under the proposed scheme. Jacobs conclude that the steps taken were sufficient to identify the presence and distribution of badger within the vicinity of the proposed scheme and to inform the design of mitigation appropriate to avoid impacts on the local clans.</p> <p>Email from Scottish Badgers received on 20 February 2019:</p> <p><i>'While it's encouraging to hear that no setts are to be directly lost as a result of these works, our concern is with the inevitable removal and bisection of foraging grounds, particularly if these are utilised by different clans, and could potentially cause issues due to territoriality as they are inevitably to be reduced. There is also the knock on effect of increased noise and light pollution if the section of road is to have street lighting, as well as the shorter term effects during the construction phase. I note this has been addressed in your ecology report available online.</i></p> <p><i>You mention that mitigation is to allow permeability – again I appreciate it's very early days here, but would this mainly be through the addition of under-road tunnels? In past road developments we've seen, new roads have incorporated drainage tunnels with mammal ledges, but either through poor implementation or lack of maintenance after the initial build, these can become undesirable for use by wildlife, and can cause eventual breaches onto the road.</i></p> <p><i>I mentioned that there is currently a boon of development going on within the Inverness area, including rail upgrades and a new prison being built alongside the new Inverness campus, which while might not overlap in terms of the time frame of construction, will all have a linked knock on effect to the badger population. I appreciate your involvement is likely exclusively with this particular project, however in places such as Inverness, the lack of cohesive plans when it comes to these large-scale projects is becoming quite a concern. This is likely something we'd need to address with the local authority planning department, as foraging grounds are increasingly being developed.'</i></p> <p>Jacobs response issued to Scottish Badgers on 2 April 2019 as follows:</p> <p><i>'We agree that an area of badger foraging habitat would be lost under the footprint of the proposed scheme. An aim of the design process is to avoid an impact where possible, and therefore the land required for construction has been minimised and the current design only contains areas that are essential for construction. We are working with our landscape team to ensure that as much land as possible is returned as potential badger foraging habitat. The remaining footprint of the proposed scheme will therefore be considered to represent a small proportion of the foraging habitat currently available to resident badgers in the area.</i></p> <p><i>As described in our previous correspondence, the impact of potential bisection of foraging grounds will be mitigated through the provision of safe-crossing points (culverts constructed with integrated mammal ledges and a mammal underpass) which are designed to be evenly spaced throughout the proposed scheme. The locations of badger setts and field signs have been used to inform the locations where the installation of safe crossing point structures will assist in reducing the impact of habitat fragmentation. Badger resistant fencing will be positioned to restrict access to the carriageway and to direct badgers towards safe-crossing points. To minimise disturbance at these crossing points standard good practice methods will be employed during construction and operation for example to avoid illuminating the areas immediately adjacent to the culvert entrances. It is anticipated that night time working during construction would also be restricted in these areas to minimise issues of noise pollution.</i></p>

Non-statutory Consultees	Summary of Consultee Feedback / Discussion and Jacobs Response (where required)
	<p><i>Culverts will be designed to a specification to maintain safe passage for mammals at times of high water. The maintenance contractor will have a responsibility to maintain culverts and to prevent blockage.</i></p> <p><i>We are aware of plans for additional developments to the east of Inverness in the vicinity of the proposed scheme. Accordingly, we are undertaking an assessment of cumulative effects within the Environmental Impact Assessment Report for the proposed scheme.'</i></p> <p>Scottish Badgers responded on 3 April 2019 requesting further information on whether the fencing would run the full length of the scheme, and if concrete barriers would be instated in the middle of the carriageway, which have the potential to cause badgers to get stuck. Jacobs responded on 4 April 2019 stating that badger-proof fencing is being proposed along the length of the new road. Access to drainage ponds / basins will be provided with gates that have been 'badger proofed'. As the new road is a single lane in either direction (i.e. not a dualled highway), it will not incorporate a barrier down the middle.</p> <p>Scottish Badgers responded on 4 April 2019 expressing thanks for Jacobs' response to the query.</p>
Scottish Disability Equality Forum	Consultation letter issued on 18 July 2018 inviting comments on the proposed scheme. No response received to date.
Scottish Government Agriculture & Rural Economy Directorate: Rural Payments and Inspections Division (SGRPID)	Consultation letter issued on 25 June 2018 inviting comments on the proposed scheme. Letter received on 26 June 2018 stating that SGRPID no longer make comment on matters that are the subject of an Environmental Assessment or of a current or future planning application.
Scottish Government Local Government and Communities	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
Scottish Land and Estates	Consultation email sent on 25 June 2018 requesting comments on proposed scheme. No response received to date.
Scottish Orienteering Association	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date
Scottish Outdoor Access Network (SOAN)	Consultation letter issued on 18 July 2018 inviting comments on the proposed scheme. No response received to date.
Scottish Raptor Study Group – Highland Branch	Request on 10 April 2018 for any records held on raptor nests or ospreys in the study area of the proposed scheme. Response received on the same day stating that the only information held is that buzzards breed or have in the past in the woodland leading to the Stratton Lodge Hotel.
Scottish Water	<p>Consultation email sent on 2 May 2018 requesting any flood histories in the area of the proposed scheme. A response was received on the 22 May 2018 noting that the contact was unaware of the availability of such flooding information.</p> <p>General request for environmental information / comments – letter issued on 7 September 2018. No response received to date. Scottish Water have been engaged separately by the utilities team regarding assets and diversions relating to the proposed scheme.</p>
Scottish Wildlife Trust	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
ScotWays	Request for Rights of Way data on 19 March 2018 to confirm whether any RoWs have been designated since DMRB Stage 2. Scotways provided information on 13 April 2018.
Smithton and Culloden Community Council	<p>General request for environmental information / comments – letter issued on 7 September 2018. Response received on 7 September 2018 from Mr McGrath, Chairperson of Smithton and Culloden Community Council commenting that the junction with B9006 Culloden Road will cause additional traffic problems on the B9006 and that the community was expecting a direct link with the Highland Council west link and a new on and off slip road junction for the A9.</p> <p>Jacobs response to comments issued in August 2019. Letter noted concern that the Junction between the new A9/A96 Inshes to Smithton Scheme and the B9006 (Culloden Road) will become a pinch point for motorists, and explained that as part of the proposed scheme, Caulfield</p>

Non-statutory Consultees	Summary of Consultee Feedback / Discussion and Jacobs Response (where required)
	<p>Road North will be widened on approach to this junction. This, together with the proposed road widening at Inshes overbridge, and The Highland Council's Inshes Junction Improvements - Phase 2 will improve the overall operational efficiency of the road network in this vicinity.</p> <p>Email received from Smithton and Culloden Community Council on 29 August 2019, providing information about development within the Inverness Campus site and proposed changes to bus services/facilities in the vicinity of the Campus. Receipt of additional information acknowledged by Jacobs and taken into account in the assessment.</p>
Stagecoach	<p>Response to DMRB Stage 2 exhibition feedback received on 14 December 2018. Generally supportive of the proposed scheme, but highlighted that we need to ensure that the that the scheme contains appropriate measures to provide greater priority for public transport and bus travel specifically to encourage transition to more sustainable modes of transport rather than simply trying to accommodate an ever greater number of vehicle movements. This is so that we can ensure that the scheme provides sufficient capacity to accommodate future increased travel demand.</p> <p>Suggested two opportunities that should be given consideration to provide better priority for buses to help achieve a better outcome for current and future bus passengers: (1) Bus-only link from the Inverness Campus to the Retail Park – this would provide additional journey time benefits in addition to the flexibility in routing (2) Further widen the Inshes over-bridge to provide a bus priority lane in the inbound to Inverness direction.</p> <p>Jacobs responded to Stagecoach's exhibition feedback on 24 April 2018 with thanks for providing the feedback and noting comments regarding public transport provision, stating these will be taken into consideration during the DMRB Stage 3 assessment. Regarding the bus only link between UHI Campus and the Inverness Retail and Business Park, Jacobs noted that provision of this public transport link is being taken forward by Highlands and Islands Enterprise as part of the planning conditions associated with the Inverness Campus development.</p> <p>Jacobs held a meeting on 19 September 2019 with The Highland Council, D&E Coaches, Highlands and Islands Transport Partnership (HITRANS) to discuss the implications on public transport in relation to the proposed scheme. Stagecoach sent apologies as they were unable to attend. Meeting minutes issued to Stagecoach for information on 19 September 2019. Details of the meeting are outlined below in The Highland Council - Integrated Transport.</p> <p>Meeting held between Stagecoach and Jacobs' Highways team on 17 October 2018. The purpose of the meeting was to provide an update on the design development of selected route variant and to discuss bus provision on the proposed scheme. Jacobs advised Stagecoach that:</p> <p><i>'...in agreement with THC, there is to be no provision of bus lanes or bus stops on the A9/A96 Inshes to Smithton scheme. The reasons were two-fold; initially there would be no need for them until the development has started (i.e. the road would be through a predominantly rural area until construction started on Inverness East Development site). Secondly, THC planned to use the development's main street as the main bus route. This would tie into the retail park and onto the planned bus link crossing of the Highland Mainline.'</i></p> <p>While initially disappointed that there was no forward planning for bus provision, following further discussion, Stagecoach agreed there appeared to be no need for bus stops on the proposed scheme in the short term. Stagecoach confirmed that they perceived there to be benefits to their business from the proposed scheme and observed that disruption to their services during construction should be minimal as the works would be mostly 'off-route'. Meeting minutes were issued to Stagecoach on 13 December 2018.</p>
Sustrans Scotland	<p>Jacobs held a meeting with Sustrans on 8 November 2017 to make them aware of the potential impact of the proposed scheme on the National Cycle Network Route 1 and to seek input from them on the development of NMU proposals for the scheme.</p> <p>Data request submitted to Sustrans on 19 March 2018 to confirm there are no updates to data previously provided for A96 Dualling Inverness to Nairn (including Nairn bypass) scheme. Sustrans responded on 10 April 2018 to confirm there was no new information.</p>

Non-statutory Consultees	Summary of Consultee Feedback / Discussion and Jacobs Response (where required)
	<p>Sustrans provided guidance to Jacobs in May 2018 during public regarding the minimum preferred width of shared-use paths. In terms of crossing points, Sustrans would be keen for these to be controlled crossing points, assuming it is likely that this road will become quite busy once the proposed houses are constructed (as per the proposals in the Inner Moray Firth Local Development Plan).</p> <p>General request for environmental information / comments – letter issued on 7 September 2018. No response received to date. Meeting held to discuss Longman on 25 October 2018 and the proposed scheme was discussed briefly as part of this meeting.</p> <p>Email received from Sustrans on 6 November 2018 advising that they would be interested in contributing to the option appraisal of the proposed scheme and Inverness East developments. Response from Jacobs sent on 6 November 2018 to advise minutes from the previous meeting would be sent to Sustrans for comment and a date would be proposed for a meeting to discuss the proposed scheme; Sustrans would contact The Highland Council to discuss the Inverness East development. Further email from Jacobs to Sustrans sent on 7 November 2018 to advise of the progress of the proposed scheme and to arrange a meeting time to discuss.</p> <p>Email received from Sustrans on 9 November 2018 noting the NMU elements of the scheme are lacking in ambition and proposing suggestions for improvement. Jacobs held a meeting with Sustrans on 9 November 2018. At the meeting Jacobs provided an overview of the scheme and described the NMU proposals for the scheme. Sustrans recommended that segregated facilities are considered throughout the scheme.</p> <p>Letter issued to Sustrans by Jacobs on 14 December 2018, noting views on the NMU element of the proposed scheme and commenting that these facilities are being developed in accordance with best practice, and have been informed by consultation with stakeholders such as Sustrans, IAP and Mobility and Access Committee Scotland (MACS). The letter also noted that during previous consultations with Sustrans no concerns were raised regarding the use of shared paths; however to address the potential conflicts between users of shared paths, a segregated NMU facility is proposed along the link between Inverness Retail and Business Park and the proposed Eastfield Way Roundabout. Jacobs note Sustrans' comment that an underpass facility would be desirable at Eastfield Way Roundabout, but that the proposed design instead incorporates a shared use path remote from the road carriageway which would pass under the proposed scheme close to the railway line. Email from Sustrans acknowledging receipt of response and thanking Jacobs for the thorough consideration of the issues raised. Follow-up email sent from Jacobs on 17 December 2018 attaching the overview leaflet from the May 2018 drop-in sessions referenced in the previous letter.</p>
Velocity Café and Bike Shop	General request for environmental information / comments – letter issued on 7 September 2018. Automated response received on 7 September 2018 and no further response received to date.
Visit Scotland	Consultation letter issued on 18 July 2018 inviting comments on the proposed scheme. No response received to date.
Westhill Community Council	General request for environmental information / comments – letter issued on 7 September 2018. No response received to date.
The Woodland Trust	General request for environmental information / comments – letter issued on 7 September 2018. Automated response received on 7 September 2018 and no further response received to date.
Transport Scotland	Request made for information on flood risk incidents recorded in proximity to the proposed scheme. A response was received with flood incidents recorded for the A96.