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Environmental Impact Assessment Record of Determination

A95 Boat of Garten (Resurfacing)

Contents

Project Details

Description

The works are required to maintain the safety and integrity of a stretch of the A95 carriageway, west of Boat of Garten, Highlands. The works involving structural inlays (50-210mm depths) are required due to a section of the carriageway displaying various surface defects and deterioration.

Construction activities and the associated plant/non-road mobile machinery (NRMM) required are as follows:

- Implementation of traffic management (TM) and marking out site (TM plant);
- Removal of existing surfacing (planer and lorries);
- Inlay resurfacing to permitted depths (paver and lorries).
- Reinstatement of road markings, linings, and studs (lorries and plant); and,
- Removal of TM.

The scheme exceeds 1ha in area, approximately 1.1ha.

The proposed construction is programmed to be undertaken and completed within this financial year (April 2024 to March 2025) for the duration of ten overnight shifts.

TM will comprise of full road closures for the duration of the works. A diversion route via the A9, then A938 (Carrbridge) will be in place. Highland Council have been notified of such arrangements.

Location

This section of the A95 is a single two-lane carriageway, located west of Boat of Garten, Highlands, at the following National Grid References (NGRs) (Figure 1):

- Scheme start: NH 91251 18694
- Scheme end: NH 92426 19237

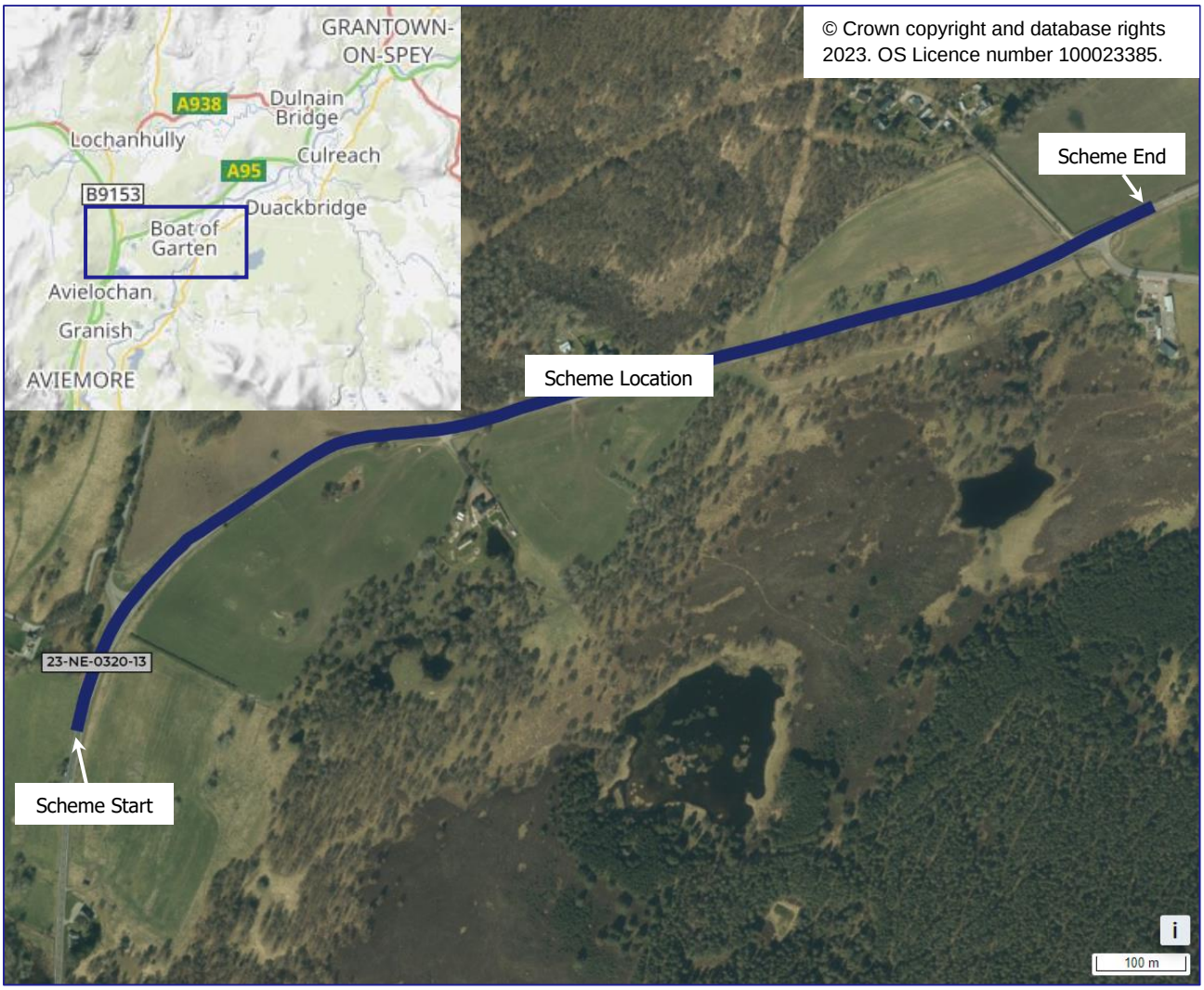

Figure 1. Scheme location.

Description of local environment

Air quality

The baseline air quality surrounding the scheme extents is likely to be influenced by high traffic flow along the A95 trunk road and surrounding agricultural activities. Annual Average Daily Flow (AADF) in 2023 within the scheme extents (site number: 1056) was estimated at 6,785 total vehicles with 9% Heavy Goods Vehicles (HGVs).

There are thirteen air quality receptors located within 300m, including residential properties, a primary school and holiday accommodation. The closest receptor is a holiday accommodation located approximately 15m north (NH 91834 19070).

Highland Council have not declared any Air Quality Management Areas (AQMAs).

There are no sites registered on the Scottish Pollutant Release Inventory (SPRI) within 1km of the scheme.

Cultural heritage

A desktop study using the PastMap resource has not identified any designated cultural heritage assets (Listed Buildings, Scheduled Monuments, Conservation Areas, World Heritage Sites or Inventory Battlefields) within 300m.

The following Historic Environment Record (HERs) (non-designated) features are within 200m:

- Knock Of Kinveachy (Reference: MHG24861) 165m northwest; and
- Hut Circle, Chapleton School (Reference: MHG4686) 60m south.

Landscape and visual effects

The scheme is located along a rural stretch of the A95 carriageway, with sporadic rural properties in the surrounding landscape, some with direct sight of the scheme. The land surrounding the scheme is dominated by areas of open grazing land and mixed woodland.

The scheme is wholly located within the Cairngorms National Park (site code: 8623). The National Park has the following List of Special Qualities:

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

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, boulder-strewn high ground
- The surrounding hills
- The drama of deep corries
- Exceptional glacial landforms
- Snowscapes

Moorlands

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

Glens and Straths

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

Trees, Woods and Forests

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

Wildlife and Nature

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

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

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

Recreation

- A landscape of opportunities
- Spirituality

There are no National Scenic Areas or other sites designated for their landscape character or quality located within 500m, or visible to or from the scheme.

The scheme is located within the Upland Strath Landscape Character Type (LCT 127) with the following key characteristics:

- Large, broad, flat-bottomed strath, with some narrower pinch-point sections.

- Valley floor with the meandering River Spey and frequent lochs and marshes.
- Meadows and wetlands prone to flooding on the valley floor.
- Mixed pastures and broadleaved woodland in more undulating areas.
- Wetlands flanked by mixed woodland and conifer forests.
- Main communication corridor housing A9 trunk road and railway.
- Estate houses and policy landscapes in many parts of the strath.
- A well-settled area with a series of settlements occurs along the northern side of the strath at bridging points over the River Spey.
- They are popular tourist destinations serving the Cairngorms National Park. Elsewhere farms and houses are frequent along main and minor roads.
- Views to the Cairngorm mountains.
- Noise and activity from busy A95.

No Tree Preservation Orders immediately surround or will be impacted by the works.

Various areas of woodland classified under the Ancient Woodland Inventory (AWI) surround the scheme extents, however, works will be contained to made-ground and existing engineered layers within the carriageway boundary with no land take or vegetation clearance required.

Biodiversity

NatureScot Sitelink resource identifies three European designated sites within 2km of the scheme:

- Loch Vaa Special Protection Area (SPA) (NatureScot Site Code: 8541) 670m south
- Kinveachy Forest Special Area of Conservation (SAC) (8283) 935m west; and
- Kinveachy Forest SPA (8519) 935m.

Due to the distance, and potential for Likely Significant Effects (LSE) to these sensitive areas and their qualifying features, a Habitats Regulations Appraisal (HRA) has been undertaken and concluded no LSE to the three designated sites.

There are no locally or nationally designated biodiversity sites located within 300m of the scheme (such as Sites of Special Scientific Interest (SSSIs), or National Nature Reserves) (SiteLink).

A potentially favourable surrounding habitat for protected species was identified in the scheme surroundings; however, such areas are suitably separated from the works area by largely open grazing agricultural land. As the works are contained

within the existing carriageway boundary, the requirement for a Preliminary Ecological Walkover (PEW) has been scoped out by a qualified ecologist.

NBN Atlas and Transport Scotland's Asset Management Performance System (AMPS) have not recorded any Invasive Non-Native Species (INNS) within 500m of extents.

Geology and soils

The scheme does not lie within or have connectivity to any Geological Conservation Review Sites (GCRS), Geological SSSIs, or Local Geodiversity Sites (LGS) (SiteLink).

The local soil type within scheme extents is recorded as humus-iron podzols (Scotland's Soils).

Bedrock geology (British Geological Survey Geology Viewer) within the scheme extents is comprised of:

- Igneous bedrock of the Boat Of Garten Pluton (porphyritic tonalite and porphyritic granodiorite) formed between 443.8 and 419.2 million years ago (Mya) during the Silurian period.

Superficial deposits comprise of:

- Sedimentary glaciofluvial sheet deposits (Devensian - sand, gravel and boulders) formed between 116 and 11.8 thousand years ago during the Quaternary period.

Material assets and waste

The proposed works are required to inlay resurface the A95 carriageway displaying surface defects, with additional construction activities involving reinstating road markings and studs.

Materials used will consist of:

- Surfacing, binder and base materials (TS2010 aggregate, AC20 binder and AC32 base); and
- Road marking materials (thermoplastic road marking paint) and studs.

Wastes are anticipated to be planings from the carriageway surface course, with no coal tar recorded from coring logs within scheme extents. The Contractor is responsible for the disposal of road planings, and this will be registered in accordance with a Paragraph 13(a) waste exemption issued by the Scottish

Environment Protection Agency (SEPA), as described in Schedule 3 of the Waste Management Licensing Regulations 2011.

This scheme value is in excess of £350k and therefore a Site Waste Management Plan (SWMP) will be prepared.

Noise and vibration

There are 13 noise sensitive receptors (NSRs) located within 300m, including residential properties, a primary school and holiday accommodation. The closest receptor is located approximately 15m north (NH 91834 19070).

The works do not fall within a Candidate Noise Management Area (CNMA), as defined by the Transportation Noise Action Plan (Road Maps) Transportation Noise Action Plan (TNAP).

Modelled day-evening-night noise levels (Lden) for the A95 carriageway within scheme extents are >75 to 80dB. Modelled night noise levels for the same extents are >65 to 70dB. (Scotland's Noise Map).

Baseline noise levels surrounding scheme extents is likely to be influenced by high traffic flow along the A95 trunk road and surrounding rail and agricultural activities. For AADF details, please refer to the 'Air Quality' section above.

Population and human health

For details on sensitive receptors, please refer to the 'Noise and Vibration' section above. Access/egress to approximately 10 residential receptors and business facilities is from the A95 carriageway within the scheme extents. Furthermore, access to/from the B9153 road, and Deshar Road fall within the scheme extents. TM will consist of a full road closure with diversion route via the A9, then A938 (Carrbridge).

Deshar Primary School is located approximately 60m south. No other community facilities (healthcare, religious, or recreational) are located within 300m.

Cairngorms National Park Core Path (LBS113) (Highland Council) is located adjacent to the A95 carriageway within the scheme extents, this is a public right of way (PRoW) providing pedestrian access to local towns and facilities.

Access to two further Cairngorms National Park Core Paths, LBS53 and LBS126 is within the scheme extents, at NH 92353 19210 and NH 92378 19205. The Highland Council has been notified of the likely impact to Core Paths.

National Cycle Route 7 is located adjacent to the scheme extents (off-road cycle path), with a crossing located within the scheme extents at NH 91959 19066 (The National Cycle Network). Sustrans have been consulted.

Due to the presence of numerous holiday accommodations and various walking/cycling routes, it is assumed that this area is frequently used by tourists.

The scheme extents are not street-lit.

Road drainage and the water environment

No watercourses characterised by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive (WFD) are located within 500m of scheme extents, however, the following unclassified watercourses are within 500m:

- Allt Cnapach approximately 280m south; and,
- Gormack Stripe approximately 15m north.

The scheme falls within the 'Upper Spey Sand and Gravel' (ID: 150814) groundwater body, which was classified by SEPA in 2022 as having an overall status of 'Good' (SEPA Water Classification Hub).

The scheme also falls within an area designated as Drinking Water Protected Area (DWPA) (surface water).

The scheme does not fall within a Nitrate Vulnerable Zone (NVZ).

Small, localised areas of A95 carriageway within scheme extents are recorded as being at low to high risk (0.1%-10% chance of flooding each year) of surface water flooding. No areas are identified at risk of river water flooding (SEPA Flood Maps).

Road drainage along scheme extents is provided by top entry gullies and filter drains.

Climate

Carbon Goals

The Climate Change (Scotland) Act sets out the target and vision set by the Scottish Government for tackling and responding to climate change. The Act includes a target of reducing CO_2 emissions by 80% before 2050 (from the baseline year 1990).

The Scottish Government has since published its indicative Nationally Determined Contribution (NDC) to set out how it will instead reach net-zero by 2045, working to reduce emissions of all major greenhouse gases by at least 75% by 2030. By 2040, the Scottish Government is committed to reduce 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, this commitment is being enacted through the Mission Zero for Transport. Transport is the largest contributor to harmful climate emissions in Scotland. In response to the climate emergency, TS are committed to reducing their emissions by 75% by 2030 and to a legally binding target of net-zero by 2045.

Amey's Company Wide Carbon Goal is to achieve Scope 1 and 2 net-zero carbon emissions, with a minimum of 80% absolute reduction on our emissions by 2035. Amey is aiming to be fully net-zero, including Scope 3 emissions, by 2040.

Policies and Plans

This Record of Determination (RoD) has been undertaken in accordance with Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017 (RSA EIA Regulations) along with Transport Scotland's Environmental Impact Assessment Guidance (Guidance – Environmental Impact Assessments for road projects (transport.gov.scot)). Relevant guidance, policies and plans accompanied with the Design Manual for Roads and Bridges (Design Manual for Roads and Bridges (DMRB)) LA 101 and LA 104 were used to form this assessment.

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 surrounding the scheme location. Activities undertaken on site may cause dust and particulate matter to be emitted to the atmosphere and increased prolonged vehicle, plant and NRMM presence. However, considering the nature and scale of the works and the following mitigation measures, the risk of significant impacts to air quality are considered to be low, and will be for the duration of the works only.

- Best practice and measures as outlined in the 'Guidance on the assessment of dust from demolition and construction (January 2024)' published by the institute of Air Quality Management (IAQM), which includes the following mitigation relevant to this scheme will be followed:
  - Site layout will be planned (including plant and vehicles) so that machinery and dust causing activities are located away from receptors, as far as reasonably practicable;
  - Materials that have a potential to produce dust will be removed from site as soon as possible, unless being re-used on site (cover or fence stockpiles to prevent wind whipping);
  - Drop heights from conveyors and other loading or handling equipment will be minimised;
  - Vehicles entering and leaving the work area will be covered/sheeted to prevent escape of materials during transport;
  - Equipment will be readily available on site to clean any dry spillages, and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods; and
  - When not in use, plant and vehicles will be switched off and there will be no idling vehicles.
- All plant and fuel-requiring equipment utilised during construction will be well maintained to minimise emissions.
- Green driving techniques will be adopted, and effective route preparation and planning undertaken prior to works.

Considering the nature, duration, size, and scale of the scheme, and with best practice mitigation measures in place no significant air quality impacts are anticipated. Therefore, in accordance with DMRB Guidance document LA 105: Air Quality no further assessment is required.

Cultural heritage

Despite records of non-designated cultural heritage features within 200m of the scheme extents, there are no earthworks or land acquisition associated with the scheme, with original construction of the A95 carriageway 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.

Works are restricted to the carriageway boundary. The following best practice mitigation measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest, and existing identified features:

- Plant and machinery will be stored within the carriageway boundary as far as reasonably practicable. Where areas out with the carriageway are to be accessed, it will be reduced as far as possible, and ideally limited to access on foot.
- If a change to the construction programme onsite is required that involves changes to scheme extents Amey's Environmental Team will be notified.

Given the nature of the works, works area, and distance from identified cultural heritage features, no significant effects are predicted on cultural heritage. Therefore, in accordance with DMRB Guidance document LA 106: Cultural Heritage, no further assessment is required.

Landscape and visual effects

There will likely be a short-term impact on the landscape character and visual amenity of the site as a result of the presence of construction plant, vehicles, and TM.

However, vehicles, NRMM and materials will be restricted to areas of made/engineered ground on the A95, and construction works are programmed to be undertaken overnight for approximately ten-night shifts. As such, the visual impact of the works will be somewhat reduced.

The Cairngorms National Park Authority (CNPA) has been notified, with no comments made on the proposed works.

Upon completion of the works, no residual impacts are anticipated, as once complete the visual appearance will remain largely unaffected, with a renewed, improved road surface being the only discernible change.

In addition, the following mitigation measures will be put in place during works:

- Throughout all stages of the works, the site will be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing the landscape and visual effects as much as possible.
- Works will avoid encroaching on land and areas where work is not required or not permitted. This includes general works, storage of equipment/containers and parking.
- If required, upon completion of the works, any damage to the local landscape will be reinstated as much as is practicable.

With the above mitigation measures in place, it is anticipated that any landscape and visual effects associated with the proposed works will not be significant. Therefore, in accordance with DMRB Guidance document LA 107: Landscape and Visual Effects no further assessment is required.

Biodiversity

Construction activities have the potential to have a temporary adverse impact on biodiversity in the area as a result of vehicle presence and the potential for disturbance to protected species within close surroundings; and potential to pollute habitats from noise and artificial site lighting.

No INNS were recorded within 500m of the scheme and works will be confined to the trunk road surface, involving like-for-like carriageway resurfacing. Furthermore, there are no earthworks, permanent (or temporary) land-take, accommodation works or site clearance, and there is no requirement to import topsoil. As such, there is limited potential to spread or introduce INNS or injurious flowering plant species.

A HRA has been undertaken due to the potential for LSE to the sensitive areas and their qualifying features. This concluded no LSE to the three designated sites as works are contained to the existing carriageway surface and thus not directly impacting the European sites due to the following:

- The habitat area of the European Sites will not be reduced as a result of the scheme.
- There will be no long-term disturbance to key species as a result of the scheme.
- No habitat or species fragmentation will occur as a result of the scheme.
- There will be no reduction in species density as a result of the scheme.
- There will be no change in the key indicators of conservation value.
- The scheme works will not reduce the ability of the designated site to cope with climate change.

Additionally, no construction activities will take place within the designated sites, and standard industry best practice will be implemented onsite throughout the construction period to mitigate potential impacts to the designated sites, and surrounding species, in particular nocturnal species that may be impacted by the night works, and the local environment, including pollution prevention measures.

The following mitigation measures will be in place:

- A 'soft start' will be implemented on site each day. This involves switching on plant/vehicles simultaneously as opposed to instantaneously, to ensure a gradual increase in noise for minimal disturbance.
- Site lighting will be directional and aimed away from sensitive ecological receptors including trees and watercourses.
- Should a protected species be encountered or move on site, works will be temporarily halted until the animal has moved on, or until Amey's Environmental Team can provide advice.
- Amey's Environmental Team will be contacted if:
    - There are any sightings of protected species on, or within close surroundings of the active works area;
    - Unforeseen site clearance, or additional construction activities are required; or
    - INNS are found within the work area.
- Plant, vehicles and materials will be contained within areas of engineered ground, and not stored on grass verges as far as reasonably practicable. If required, reinstatement of any damaged areas will be undertaken upon completion of the scheme.

Please see Road Drainage and the Water Environment section below for further mitigation measures in relation to pollution prevention and control.

With best practice mitigation measures in place, no significant effects are precited for biodiversity. Therefore, in accordance with DMRB Guidance document LA 108: Biodiversity no further assessment is required.

Geology and soils

Works will be restricted to existing layers of the A95 carriageway, and as such are not anticipated to result in change to or have an adverse impact on geology and soils. With the following mitigation measures in place, no significant impacts are anticipated on geology and soils:

- The parking of machinery/personnel and storage of equipment on verges will be minimised as far as is reasonably practicable.

- If required, upon completion of the works, any damage to the local landscape will be reinstated as much as is practicable.
- Mitigation measures to prevent contamination of soils through loss of containment will be strictly adhered to.

With mitigation measures in place, no significant effects are precited for geology and soils. Therefore, in accordance with DMRB Guidance document LA 109: Geology and Soils no further assessment is required.

Material assets and waste

There is potential for impacts as a result of resource depletion through use and transportation of new materials, however, due to the scale and scope of works no significant impacts are anticipated for material assets and waste.

Furthermore, materials will be sourced locally where possible and the design life for the TS2010 surfacing proposed is estimated to be 20 years, thus reducing the requirement for maintenance to this section of road over this period.

The following mitigation measures will be put in place:

- Materials will be derived from recycled, secondary, or re-used origin as far as practicable within the design specifications to reduce natural resource depletion and associated emissions.
- Waste will be stored in suitable containers and covered.
- Where possible, different waste streams will be separated at the source.
- The waste hierarchy (Reduce, Reuse, Recycle and Dispose) will be employed throughout the construction works.
- Following on-site coring investigations and testing, no coal-tar was identified within the surfacing of the carriageway within the scheme extent. As such, road planings generated as a result of the works will be recovered in accordance with the criteria stipulated within SEPA document ‘Guidance on the Production of Fully Recoverable Asphalt Road Planings’ where possible.
- A SWMP will be prepared due to the scheme value exceeding £350k.

With best practice mitigation measures in place, no significant effects are predicted for Material Assets and Waste. Therefore, in accordance with DMRB Guidance document LA 110: Material Assets and Waste, no further assessment is required.

Noise and vibration

Construction activities associated with the proposed works have the potential to cause noise and vibration impacts through the use of machinery and construction vehicles. The works will take place during night-time working hours. This potential disturbance will likely influence NSRs adjacent and surrounding scheme extents, and along the proposed diversion route, therefore will likely increase noise levels from ambient night levels; however, this is not anticipated to be significant with due the scale and duration of the scheme and with mitigation measures in place.

On completion of the scheme, motorists and nearby local amenity users will benefit from improved road surfacing as a result of the scheme.

The following mitigation measures will be in place:

- On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors. The noisiest works will be undertaken before 23:00 where possible.
- Effects from noise will be kept to a minimum through the use of appropriate mufflers and silencers fitted to machinery. All exhaust silencers will be checked at regular intervals to ensure efficiency.
- A ‘soft start’ to works will be in place, whereby plant/machinery/vehicles are started sequentially as opposed to simultaneously.
- Amey’s Noise and Vibration environmental toolbox talk will be delivered to all site operatives before works start.
- A letter drop will be delivered to residents within 300m to notify them of upcoming works, timings and duration.
- The Highland Council’s Environmental Health Team have been contacted to notify of night-time programming.

With best practice mitigation measures in place, no significant effects are predicted for noise and vibration. Therefore, in accordance with DMRB Guidance document LA 111: Noise and Vibration and no further assessment is required.

Population and human health

During construction, activities undertaken on site will have temporary adverse impacts on local residents and vehicle travellers, and walkers, cyclists, horse riders (WCHs) as a result of construction presence, and associated noise and delays due to TM. This may include longer journey times for those travelling within the

surrounding area, in particular due to the full road closure and diversion route in place.

There will be a temporary adverse impact to receptors of PRoWs and the community facility (Deshar Primary School) due to the road restrictions and TM. This will include increased travel times to access such community facilities from nearby towns.

With the following mitigation measures in place, the risk of significant impacts on population and human health is considered to be low:

- Local residents and businesses will be informed of the proposed working schedule, in particular the times and durations of the works. This will include:
  - Notification via a letter drop will be issued to local residents prior to commencement of the works, in particular due to night-time programming and road restrictions;
  - Pre-construction notice of the works and journey planning via social media and on approach to scheme extents.
- Construction lighting will consider the need to avoid illuminating surrounding properties to avoid a nuisance at night, and non-essential lighting will be switched off at night.
- Residential access will be provided where and when required throughout the works period.
- Appropriate provisions and measures will be implemented within the TM to allow the safe passage of WCH through the site, or alternative WCH routes will be implemented and advertised on approach.

With best practice mitigation measures in place, no significant effects on population and human health are predicted. Therefore, in accordance with DMRB Guidance document LA 112: Population and Human Health, no further assessment is required.

Road drainage and the water environment

During the works, there is potential for temporary impacts on the water environment. Potential changes in water quality from pollution events (either by accidental spillage fuels or waste material or by mobilisation of these in surface water) during works could have a direct or indirect effect on the surrounding water environment.

- All operatives will be aware of SEPA's Guidance for Pollution Prevention (GPP) documents.
- The Contractor will implement measures to minimise the risk of debris, dust, sediment, accidental spillages entering the road drainage system. This can be via the use of drain covers or similar to ensure full segregation of the works from the road drainage system.

- All debris which has the potential to be suspended in surface water and wash into the local water environment will be cleaned from the site both during and following the works.
- All site operatives will be made aware of site spillage response procedures and in the event of a spill all works associated with the spill will stop, and the incident reported. Spill kits will also be available within all site vehicles and spill kits will be replenished onsite when required.
- The Amey control room will be contacted if any pollution incidences occur (24 hours, 7 days a week).
- In the event of a pollution incident, SEPA will be notified without delay.
- Weather reports will be monitored prior to and during the works with all construction activities temporarily halting in the event of adverse weather/flooding event.
    - The works will only continue when it is deemed safe to do so and run-off/drainage can be adequately controlled to prevent pollution.
- All storage areas (fuels, machinery, plant, materials) where required will be located/stored:
    - Away (>10m) from watercourses and surface water drainage systems; and
    - Away from areas that see high vehicular movement (as far as reasonably practicable) to prevent damage by collision or extremes of weather.
    - Fuels stored within a drip tray, bund or other form of secondary containment.
- Amey's Water Pollution Prevention environmental toolbox talk will be delivered to site operatives prior to works commencing.

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. Therefore, in accordance with DMRB Guidance document LA 113: Road drainage and the water environment no further assessment is required.

Climate

Construction activities associated with the proposed works have the potential to cause local air quality impacts as a result of the emission of greenhouse gases (GHGs) through the use of vehicles and machinery, material use and production, and transportation of materials to and from site. However, by undertaking the proposed works the life of the carriageway is increased. This promotes 'Build Less' principles outlined within the carbon reduction hierarchy. Furthermore, the execution of timely repairs to the road surface reduces the number of future maintenance interventions and hence this leads to an overall reduction in traffic disruption, construction and material-related carbon emissions.

The following mitigation measures will be in place:

- Where possible, materials and suppliers will be sourced locally to reduce GHG emissions associated with travel distance, materials movement, and waste will be disposed at local landfill.
- Further actions and considerations for this scheme are detailed in the above Material Assets and Waste section.

With best practice mitigation measures in place, no significant impacts are anticipated on Climate. Therefore, in accordance with DMRB Guidance document LA 114: Climate, no further assessment is required.

Vulnerability of the project to risks

The A95 carriageway within the scheme has small, localised patches identified at risk of surface flooding. Works will be programmed as far as is reasonably practicable to avoid periods of adverse weather or heavy rainfall.

Works are contained within the carriageway boundary and thus there will be no change in vulnerability of the road to risk, or in severity of major accidents/disasters that would impact on the environment. Improvement of the road surface will enhance skid resistance, and thus overall road safety on completion of the scheme.

The vulnerability of the project to risks of major accidents and disasters is considered to be low.

Assessment cumulative effects

During construction, activities associated with the works may have minor temporary disturbances such as changes to noise and vibration and air quality. However, these impacts will be temporary in nature and are not anticipated to result in a significant cumulative effect.

Highland Council Planning Portal has identified a planning application (Reference: 24/02059/PAN) located adjacent, and crosses scheme extents. This application is for a non-motorised user (NMU) path from Aviemore to Carrbridge. This application, however, is ‘under consideration,’ and therefore no in-combination effects are anticipated with the proposed scheme due to timescales involved (scheme to be completed within October-November 2024).

The Scottish Road Works Commissioner’s Interactive Map has not highlighted any works or relevant proposed developments or planning applications during the proposed timescale at the location of the works.

At present, Amey's programme of works has not highlighted any other works on the A95 that will be undertaken in conjunction with the scheme. Any future schemes will be programmed to consider already programmed works, and as such any effect (such as from TTM arrangements and potential construction noise) will be limited.

Assessments of the environmental effects

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

A Habitats Regulations Appraisal undertaken concluded no LSE to the three designated sites, Loch Vaa SPA, Kinveachy Forest SAC and Kinveachy Forest SPA.

The Cairngorms NPA have been notified of the works.

The Highland Council Environmental Health Team have been notified of the works.

Sustrans Scotland have been notified of the 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) exceed 1 hectare in area and are situated in whole within 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 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:

- Works are restricted to like-for-like replacement of worn road surface, with all works restricted to made ground on the A95 carriageway.
- Works are not expected to result in significant disturbance to nearby receptors or protected species that may be present in the wider area.
- No INNS have been recorded within the scheme extents.
- The risk of major accidents or disasters is considered to be low.
- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- By improving the road surface this will provide this part of the A95 carriageway an extended life cycle, and improve road safety, thus having positive operational impacts for road users. Furthermore, improved road surface will reduce the road noise levels and in turn will reduce disruption to the receptor located in proximity to the scheme.

Location of the scheme:

- The scheme is located within the Cairngorms National Park Authority. Works entail like-for-like resurfacing and no change to the visual landscape is expected.
- The scheme is located <2km from three sensitive areas, however, no LSE are anticipated to the sites, with standard and best practice working methods in place that further negate the potential for any impacts to the areas and their qualifying features.
- The scheme will be located within the existing A95 carriageway boundary (carriageway surface) and as such, no land take or vegetation clearance will be required.

Characteristics of potential impacts of the scheme:

- Measures will be in place to ensure appropriate removal and disposal of waste.
- Works are programmed to only approximately ten nights to complete with the aim being to complete the noisiest works by 23:00.
- In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- No in-combination effects have been identified.

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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