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Environmental Impact Assessment Record of Determination

A96 Fochabers New – Bridge Refurbishment

Contents

Project Details

Description

The works are required to ensure longevity and safe functionality of the structure (Fochabers New Bridge) due to the rate of deterioration across the structure. There will be two phases to the proposed works, with first covering investigation of the bridge structure to determine the repairs required and the second covering the repair works themselves. Both Phases of the works will be carried out through the use of an underbridge unit suspended from the structure. The underbridge unit is truck mounted and will be located on the carriageway itself with no need for any machinery to be in the watercourse or embankment.

Phase 1 will comprise of the following:

- Concrete cores;
- Concrete testing (half-cell potential testing, carbonation testing etc);
- Paint removal and testing (testing for lead content etc);
- Asbestos cores through deck waterproofing system; and
- Internal inspection of the main beams of the structure (likely by CCTV Unit).

Phase 2 of the works will be the main design and construction phase. Full extents of the work have not been fully determined and will be confirmed after the investigation works have taken place. Further environmental assessment will be undertaken for Phase 2.

The investigation works are currently programmed for the 10th June 2024 with exact timings yet to be determined. Phase two of the works is estimated to commence on the 6th January 2025, however this is subject to change. Working hours are likely to be during day and night-time hours over a duration of 6-8 weeks.

Traffic Management (TM) will be utilised in the form of two-way traffic lights.

Location

The works are located just outside the town of Fochabers, Moray, northeast Scotland over an approximate area of 1,728m^2. The works are taking place on the New Fochabers bridge which replaced the old Spey bridge in 1970 when the Fochabers bypass was built. The old spey bridge still remains and is used as a pedestrian footway/cycleway. The new bridge is functional concrete deck on steel girder structures, consisting of two spans and built on a gradient falling towards the east.

The central pier sits on the river's east bank, as with all Spey bridges, to allow for floodwater to pass without damaging the structure.

The National Grid References (NGR) for the scheme extents are detailed below and illustrated in Figure 1:

- Scheme Start- NJ 34091 59410
- Scheme End- NJ 33995 59517

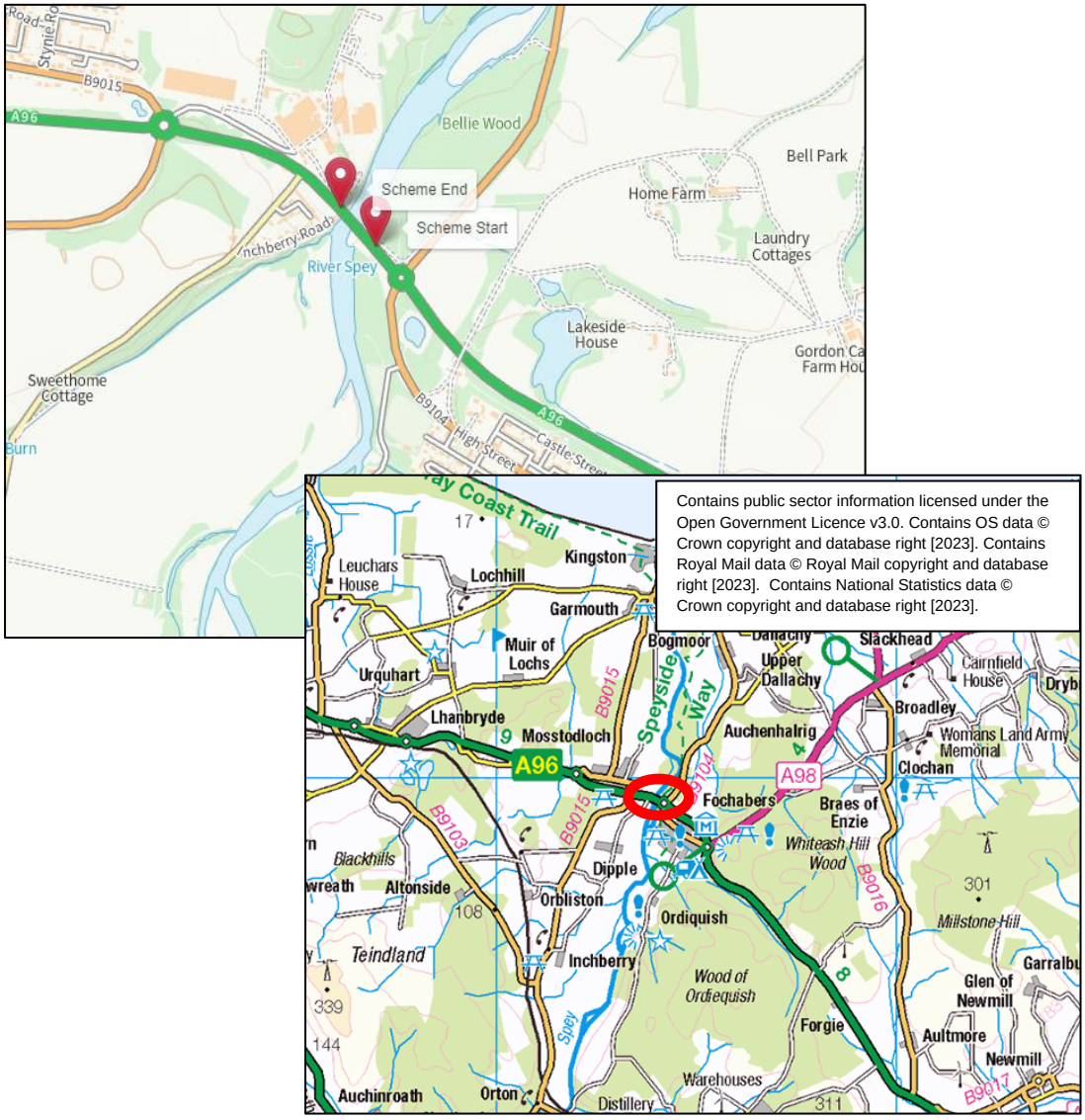

Figure 1. Scheme Location.

Description of local environment

Air quality

The works are located within the rural setting of Fochabers NE Scotland, surrounded by areas of agricultural land use with small areas of residential and managed woodland.

There are approximately 23 residential properties within 300m of the works, with the closest property (The Old Toll House) located approximately 20m southwest of the works adjacent to the A96 on Inchberry Road.

No other sensitive receptors have been identified within 300m of the works.

The Average Annual Daily Flow (AADF) in 2022 for the main A96 carriageway just outside the scheme extents (site no. 50782), accounted for 12,503 vehicles, with an average of 6.2% Heavy Goods Vehicles (HGV).

The Baxter's food group Ltd is located approximately 450m northwest of the bridge and is registered on the Scottish Pollutant Release Inventory (SPRI) as a site with Animal and vegetable products from the food and beverage sector. No other SPRIs have been identified within 1km of the works.

Moray Council has not declared any Air Quality Management Area (AQMAs).

Cultural heritage

A desktop study using PastMap has identified two designated features of cultural or historical significance within 200m of the works location. The details of these are as follows:

- (Old) Spey Bridge (Ref- LB15645) Category A listed structure located approximately 30m south of the works; and
- Spey Bridge, Old Toll House (Ref- LB15646) Category B listed building located approximately 20m southwest of the works.

The following non-designated features of cultural heritage have been identified within 100m of the works:

- New Spey Bridge (Ref- NJ35NW0183) Historic Environment Record (HER) which is the structure on which the works are taking place; and

- Fochabers Bridge (Ref- NJ35NW0012) HER which is located 30m south of the works. This HER is an Iron bridge crossing the River Spey (also known as the Old Spey Bridge), which forms the boundary between Bellie and Speymouth parishes.

All works will be located within the existing carriageway boundary and will not impact any areas of land that have not previously been subjected to engineering activity. The works will be like for like in nature and will have no change to current visual setting of the listed structures.

It has been determined that the proposed scheme does not carry the potential to cause direct or indirect impact to cultural heritage as the works will be like for like and maintain the existing structure which is a HER. As such, impact has been assessed as being 'no change' and cultural heritage has therefore been scoped out of further assessment.

Landscape and visual effects

A desktop study using NatureScot Sitelink and PastMap online interactive map has not highlighted any areas designated for landscape character within 300m of the works.

The Scottish Landscape Character Type (LCT) Map notes the scheme is located within coastal farmlands.

Historic Environment Scotland's Historic Land Assessment (HLA) Map has highlighted the surrounding historic land use to comprise of urban, managed woodland and fields and farmland.

There are no Tree Preservation Orders (TPOs) within the scheme extents.

The works will be restricted to the existing carriageway boundary and bridge structure and will not impact upon the surrounding landscape. Views of, and from the road will be temporarily impacted during construction due to the presence of works, TM and plant. As the works are operating on a like-for-like basis and are temporary in nature, no permanent changes to landscape features are determined.

As such, impact to local landscape and visual effects has been assessed as being 'no change' and has been scoped out of requiring further assessment.

Biodiversity

A desktop study has been undertaken using SiteLink and has identified the River Spey Special Area of Conservation (SAC). Due to the works taking place above this SAC, a Habitats Regulations Appraisal (HRA) has been undertaken.

SiteLink has also identified the Moray and Nairn Coast within 450m of the site and has been designated for the following:

- Special Protection Area (SPA). Moray and Nairn Coast SPA comprises the Culbin Bars, Findhorn Bay and Spey Bay which, together, form the easternmost estuarine component of the Moray Basin ecosystem.
- RAMSAR

Amey's Environmental Database notes one case of Japanese knotweed (*Reynoutria japonica*) in the verge of the A96 carriageway at the southern scheme extent.

There are no Tree Preservation Orders (TPOs) within the scheme extents.

Scotland's Environment Map has not identified any Ancient Woodland Inventory Scotland (AWIS) within the scheme extents however an area of ancient woodland (Site-56, Wood ID-8601, Bellie Wood) is located approximately 30m northeast of the works. Scotland's Environment Map has not identified any Local or National Nature Reserves within 200m of the scheme.

Ecology Field Survey

An ecological walkover survey was undertaken on 27th March 2024 to identify any habitats or species constraints or opportunities.

Intertidal zone/river embankment

Adjacent to the River Spey, underneath the proposed works location, were intertidal zones/river embankment habitats that were dominated by sandy deposits. In addition, water dock (*Rumex hydrolapathum*) – goat willow (*Salix caprea*) – and gorse (*Ulex europaeus*) were recorded.

INNS

No INNS were recorded on NBN Atlas. However, extensive strands of Japanese knotweed (*Fallopia japonica*) were identified to the southeast of the bridge structure starting from about 15m from the base of the structure. A stand of giant hogweed (*Heracleum mantegazzianum*) was also identified 100m north of the structure.

Birds

A total of 96 bird species were recorded within 2km of the works.

No birds' nests were identified on site within 30m of the bridge structure.

The woodland, watercourse, scrub habitats, and bridge structure recorded within and around the proposed works provide suitable foraging, commuting and nesting habitat for bird species. The active nesting season for birds takes place between March and August (inclusive) and the works are scheduled to take place within this season.

Geology and soils

The National Soil Map of Scotland has identified the local soil type as alluvial soils.

A desktop study using NatureScot's Sitelink has not identified any geological sensitive sites within 1km of the scheme extents.

A desktop study using the British Geological Survey Map identifies the local geology types as the following:

- Bedrock geology: Fochabers Sandstone Formation - Sandstone with subordinate conglomerate, siltstone and mudstone. Sedimentary bedrock formed between 393.3 and 382.7 million years ago during the Devonian period.
- Superficial deposits: Alluvium - Clay, silt, sand and gravel. Sedimentary superficial deposit formed between 11.8 thousand years ago and the present during the Quaternary period.

The Scottish Environment Protection Agency (SEPA) Water Classification Map notes the groundwater in the area (ID: 150804, Spey Coastal) is considered to be in good condition.

There are no landfill sites within 2km of the scheme extents.

As a result of the works taking place strictly within the existing man-made footprint, it has been determined that the proposed scheme does not carry the potential to cause direct or indirect impact to geology or soils. As such, impact has been assessed as being 'no change' and has been scoped out of requiring further assessment.

Material assets and waste

Table 1. Key materials required for activities.

Activity	Material Required	Origin/ Content
Site construction	• Bituminous surfacing materials (TS2010, EME2 binder/base); • Thermoplastic road markings; • Concrete; • Paint; • Iron milled in road stud shoes, thermoplastic reflective inserts; • Lubricant; • Vehicle fuel; • Oil; • Kerbing; • BEJ material; • Metal joint; and • Nosing mortar.	A proportion of reclaimed asphalt pavement (RAP) is used in asphalt production. Typical RAP values for base and binder are 10% -15% with up to 10% in surface course. TS2010 surface course allows a wider array of aggregate sources to be considered when compared to typical stone mastic asphalt (SMA). As a result the use of TS2010 will reduce the usage of imported aggregates and increase the use of a wider range of sustainable aggregate sources. New metal components will contain a percentage of recycled content, with exact percentages dependent on supplier. A concrete mix using cement replacement products is proposed. Road studs will be obtained from recycled sources where possible. Road paint will be obtained from primary sources.

Table 2. Key Waste arising from activities.

Activity	Waste Arising	Disposal/ Regulation
Site construction	• Road planings; • Studs; • Road kerbs; and • Old BEJ material.	Where recycling is not feasible, waste material will be removed to a licenced waste facility. On-site investigations of the carriageway (including coring and testing) have not yet been undertaken. Any tar-contaminated planings will require removal off site for treatment/disposal at a licenced waste facility. Any road planings not contaminated with coal tar 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'. Road studs will be recycled and reused where possible. All special waste will be transported by a licenced contractor to a licenced waste facility.

Noise and vibration

The works are located within the rural setting of Fochabers NE Scotland, surrounded by areas of agricultural land use with small areas of residential and managed woodland.

The AADF in 2022 for the main A96 carriageway just outside the scheme extents (site no. 50782), accounted for 12,503 vehicles, with an average of 6.2% HGV. Baseline noise conditions at this location are likely influenced primarily by traffic travelling along the A96. Noise Map Scotland does not hold any data for this area.

There are approximately 23 residential properties within 300m of the works, with the closest property (The Old Toll House) located approximately 20m southwest of the works. These residential properties are classified as Noise Sensitive Receptors (NSRs).

No other NSRs are located within 300m of the works.

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

Population and human health

Due to the nature of the works and all works restricted to the bridge structure, the study area for Population and Human Health has been reduced to 300m.

There are approximately 23 residential properties within 300m of the works, with the closest property (The Old Toll House) located approximately 20m southwest of the works.

A pedestrian footway is located on both sides of the bridge structure where the works are taking place.

There are no core paths within the scheme extents however Core path CP-FB08 is located on the Old Spey Bridge approximately 30m south of the works. This core path is also used as a cycleway.

The Speyside way pedestrian footway is located approximately 20m southeast of the works on the bridge.

There is no access to residential properties or the local road network within the scheme extents.

There are no laybys within the scheme extents.

There is streetlighting which runs along the westbound side of the carriageway for the full scheme extents.

Road drainage and the water environment

A desktop study using SEPA's Water Classification Hub has identified the River Spey, A river (ID: 23065), located directly beneath the works. SEPA has classified this waterbody as having an overall status of 'Good Ecological Potential.'

No other watercourses have been identified within 500m of the works.

The SEPA Water Classification Map notes the groundwater in the area (ID: 150804, Spey Coastal) is considered to be in good condition.

Road drainage for the scheme is utilised in the form of top entry gullies.

The scheme is not located within a Nitrate Vulnerable Zone.

SEPA's Flood Map has not identified any areas of flooding on the A96 carriageway within the scheme extents but the River Spey below is at high risk (10% chance) of flooding each year.

Climate

The Climate Change (Scotland) Act 2009 sets out the target and vision set by the Scottish Government for tackling and responding to climate change (The Climate Change (Scotland) Act 2009). The Act included a target of reducing CO_2 emissions by 80% before 2050 (from the baseline year 1990). The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the Climate Change (Scotland) Act 2009 to bring the target of reaching net-zero emissions in Scotland forward to 2045 (Climate Change (Emissions Reduction Targets) (Scotland) Act 2019).

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

committed to reducing emissions by 90%, with the aim of reaching net-zero by 2045 at the latest.

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

Policies and Plans

This Record of Determination (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 102 were used to inform this assessment.

Description of main environmental impacts and proposed mitigation

Air quality

Impacts

- The use of vehicles, plant and generators will result in emissions which will temporarily impact local air quality.
- On site construction activities carry the potential to produce airborne particulate matter and generate emissions that will have a temporary impact on local air quality.
- TM implemented during the scheme may result in an increase in vehicle emissions through idling vehicles and increased congestion. This may result in a temporary deterioration in local air quality.

Mitigation

The following best practice as outlined in the Guidance on the assessment of dust from demolition and construction (2024) published by the Institute of Air Quality Management (IAQM), which includes the following mitigation relevant to this scheme will be followed:

- All vehicles will switch off engines when stationary; there will be no idling vehicles.
- All plant and fuel-requiring equipment utilised during construction will be well maintained in order to minimise emissions.
- Planing operations will be wetted to reduce dust arising.
- Drop heights to haulage vehicles and onto conveyors will be minimised where practicable.
- Cutting, grinding and sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction will be used for any concrete works.
- Lorries will be sheeted when carrying dry materials.
- Surfaces will be swept where loose material remains following planing.

The residual significance of effects is considered not significant and does not warrant any further assessment in accordance with DMRB Guidance document LA 105: Air Quality.

Biodiversity

Impacts

- An HRA has been undertaken and concluded that there will be no Likely Significant Effect (LSE) to the River Spey SAC or the Lower River Spey – Spey Bay SAC and Moray and Nairn Coast SPA and Ramsar. The proposed scheme involves works to the bridge and will not directly impact the European Sites. There will be no long-term disturbance to key species, no habitat or species fragmentation, no reduction in species density, no change in the key indicators and the habitat area of the designated sites will not be reduced as a result of the works. Site specific best practice will ensure no LSE to the European Sites.
- Increase in night-time noise may result in temporary disturbance/nuisance for nocturnal species if active in proximity.
- Temporary lighting for the works may affect the foraging or commuting routes of nocturnal protected species which may be active in the surrounding area.
- Area of Ancient Woodland will not be impacted by the works due to works being restricted to bridge structure.
- The works are unlikely to cause disturbance to protected species as no in channel working is required and the works will not cause disruption to populations or the passage of these species.
- The Japanese Knotweed within the verge of the A96 carriageway is unlikely to be impacted by the works due to all works restricted to the bridge structure.
- The proposed works have the potential to impact the river embankment habitat if scaffolding surrounding the bridge structure is required for access or if pollution from the works reaches this habitat.
- While there is no vegetation clearance planned in this scheme birds may still be impacted in the absence of mitigation if they are nesting on the bridge structure or from noise disturbance.

Mitigation

- If a protected species is seen on or near the scheme, all works will be stopped until the animal passes by. The E&S team will be contacted for any guidance if required, and the control room will be contacted for environmental record.
- When in use, any artificial light will be directional and directed at the area of works as far as reasonably practicable, reducing any light spill into the wider surroundings, and potentially sensitive habitat (e.g. woodland/structures).
- No vehicles, machinery or materials will be parked/stored on any soft verges.
- 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.

- The noisiest works will be scheduled for before 11:00pm if feasible.
- Operatives will avoid extraneous noise whilst on site and will be briefed using Noise and Vibration briefing.
- Operatives on site will be briefed with an Invasive Non-Native Species toolbox talk to raise awareness of the presence of such species and the appropriate working methodologies.
- There will be a slow start up of equipment to gradually increase levels of noise and vibrations onsite, as sudden noises can be more disturbing.
- Where equipment can be used with hoods, doors or sleeves to reduce noise levels, these will be used wherever possible.
- Chemicals, including fuel for equipment and machinery, will not be used within 20m of any waterbody.
- As the bridge structure is suitable for breeding and nesting birds, a pre-works nesting bird check will be required as the works are taking place during the main nesting bird season (March to August inclusive).
- The pre-works nesting bird check will be carried out by a suitably qualified/experienced ecologist before works can proceed during breeding bird season. Nesting bird checks will be undertaken within 48 hours prior to any works taking place. If works are delayed such that more than 48 hours has passed since the nesting bird check took place, then an update nesting bird check will be required. If any active nests are identified, then a 5m buffer (or as defined by the site ecologist, depending on the species present and site conditions) will be set around the nest and any works stopped within this buffer until an ecologist has determined that the nest has become inactive (which may take up to six weeks depending on the bird species present).

On the condition that the above mitigation measures and best practice are adhered to, the residual effect on local biodiversity is considered not significant.

Therefore, in accordance with DMRB Guidance document LA 108: Biodiversity, no further assessment is required.

Material assets and waste

Impacts

- The design life for the TS2010 surfacing proposed is estimated to be 20 years. This will reduce the requirement for maintenance to this section of road over the period.
- The works will result in contribution to resource depletion through use of virgin materials.
- Greenhouse gas (GHG) emissions will be generated by material production and transporting to and from site.

- Transportation and recovery of materials/waste will require energy deriving from fossil fuel, a non-renewable source.

Mitigation

- 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.
- Any non-contaminated road planings arising from the works will be fully recycled in accordance with SEPA's guidance on the Production for Fully Recovered Asphalt Road Planings.
- Any tar-contaminated planings will be taken off site as special waste for treatment/disposal at a licenced waste facility.
- All waste metals will be removed from site and sent to a licensed facility where they will undergo recycling as far as practicable.

Temporary impact during construction is considered negligible adverse, with residual impact considered no change.

With best practice mitigation measures in place, the residual significance of effect on material assets and waste is considered to be neutral. Therefore, in accordance with DMRB Guidance document LA 110: Material Assets and Waste, no further assessment is required.

Noise and vibration

Impacts

- TS2010 road surfacing will be utilised, which will reduce mid to high frequencies of traffic noise levels. Nearby receptors may benefit from reduced noise as a result of the scheme.
- Works may be undertaken during night-time programming. As such, residential properties within 300m of the works may experience temporary disturbance due to an increase in noise levels.

Mitigation

- Residential properties within 300m will be notified in advance of the works via letter drop, providing details of timings, nature, and duration of the works.
- Impacts 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.

- Plant and machinery will be switched off when not in use to reduce noise disruptions to the surrounding environment.
- Engine exhaust and vent silencers shall be used where possible.
- The noisiest works will be scheduled for before 11:00pm where feasible.
- 'Soft start' techniques will be utilised with noise heavy equipment/plant/machinery in order to avoid disturbance.
- The delivery of materials to the scheme extents will be made during daytime and early evening hours where reasonably practicable, to reduce noise associated by traffic.
- Operatives will avoid extraneous noise whilst onsite and will be briefed using the Amey Noise and Vibration environmental briefing.
- Moray Council Environmental Health Team have been notified of the works due to the night-time programming.

With best practice mitigation measures in place, the residual significance of effect on noise and vibration is considered to be neutral. Therefore, in accordance with DMRB Guidance document LA 111: Noise and Vibration no further assessment is required.

It has been determined that the proposed scheme will not have direct or indirect significant effects to local noise and vibration.

Population and human health

Impacts

- TM has potential to cause slight levels of disruption to road users (i.e., congestion and increased travel times).
- Construction site lighting during night-time hours could cause disturbance for residential properties within view of the works.
- There is potential for the pedestrian footway within the scheme to be impacted during the works with potential restriction of use/access.
- Potential for Bus stop to be closed during the works.
- The core path and cycleway within 300m of the works will not be impacted due to sufficient distancing and works restricted to the A96 carriageway Boundary.

Mitigation

- Advance traffic signs will be placed prior to works in an effort to minimise disturbance to vehicular travellers, and will inform road users of expected duration, timings, and any temporary TM arrangements/restrictions and Bus Stop closures.

- Artificial site lighting will be directional and pointed away from residential properties.
- In case of footway closures, operatives will have measures in place to allow pedestrians of all abilities to safely pass by the works. Any pedestrian diversions for the works will be clearly signed and accessible.
- If closure of the bus stop is required, a temporary bus stop and clear signage will be put in place.

Road drainage and the water environment

Impacts

- Potential for spills, leaks or seepage of fuels and oils associated with plant to escape and reach drainage systems if not controlled, which may impact the water environment.
- There is potential for watercourses to be polluted by concrete works which can affect the PH balance of the watercourse and harm aquatic life.
- If not appropriately controlled, debris and runoff from the works has the potential to enter nearby drains and watercourses and could detrimentally impact water quality.
- In the event of a flooding incident, debris may be mobilised and could enter the road drainage having a detrimental effect on the surrounding local water environment.

Mitigation

- Best practice, as detailed by SEPA's Guidance for Pollution Prevention (GPP5 and GPP6), will always be followed onsite. This will ensure that any potential debris/spills are not allowed to enter road drainage unchecked.
- Appropriate measures will be implemented onsite to prevent any potential pollution to the natural water environment (e.g. debris, dust and hazardous substances). This will include, but will not be limited to, spill kits being present onsite at all times, and the use of funnels and drip trays when transferring fuel, and utilisation of drain covers/shielding boards.
- Any pollution incidences will be reported to the Amey control room.
- Operatives will conduct regular checks of the work site, especially in periods of heavy wind and rainfall.
- 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 following the works.
- Bunds will be provided around drums up to 205 litres with a buffer of 25% of their capacity, and around bulk storage to a capacity of 110% of the stored fuel/oil.
- All plant and fuel storage at the site compound will be located on hardstanding and sited more than 10m from any watercourse.

- All oils and fuels will be returned to storage area after use.
- During concrete repairs, the bridge will be encapsulated as part of standard practice during this type of work.
- Storage and mixing of concrete will take place at least 10m away from watercourses.
- No washout from concrete mixing will be allowed to enter the water environment and will be taken off site for appropriate treatment.
- Weather reports will be monitored prior to and during all construction activities. In the event of adverse weather/flooding events, all activities will temporarily stop, and only reconvene when deemed safe to do so, and when run-off/drainage can be adequately controlled to prevent pollution.

Providing all works operate in accordance with current best practice, as demonstrated by SEPA's GPPs the residual significance of effect on the water environment is considered to be neutral. Therefore, in accordance with DMRB Guidance document LA 113: Road drainage and the water environment no further assessment is required.

It has been determined that the proposed project will not have direct or indirect significant effects on the water environment.

Climate

Impacts

- GHG emissions will be emitted through the use of machinery, vehicles and materials used (containing recycled and virgin materials) and transporting to and from site.

Mitigation

- Local suppliers will be used as far as reasonably practicable to reduce travel time and GHG emitted as part of the works.
- Vehicles/plant will not be left on when not in use to minimise and prevent unnecessary emissions.
- Further actions and considerations for this scheme are detailed in the above Material assets and waste section.

It has been determined that the proposed scheme will not have direct or indirect significant effects to climate.

Vulnerability of the project to risks

As the works will be limited to the resurfacing of the carriageway and repairs of the bridge structure, 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.

It has been determined that the proposed scheme will not alter the vulnerability of the existing trunk road infrastructure to risk of major accidents or disasters.

Assessment of cumulative effects

The Scottish Road Works Commissioner's Interactive Map does not highlight any other works in the area at the time of construction.

The data collated from the Scottish Pollutant Release Inventory (SPRI) will not have a cumulative significant effect on the air quality within the scheme extents. The SPRI's identified are not releasing any significant pollutants that will have a detrimental impact on the local air quality and overall effect of the scheme.

Moray Council's Planning Portal does not highlight any proposed developments or planning applications on the A96 carriageway within 2km of the scheme.

Amey's current programme of works has highlighted that some snagging repair will be taking place at a similar time to the above works. These works are taking place 500m east of the bridge structure. Due to the minor nature of the snagging works, there is unlikely to be any cumulative effects from these works.

No other nearby schemes which may result in a combined effect on nearby receptors have been identified.

Any future schemes will be programmed to take into account already programmed works, and as such any effect (such as from TM arrangements and potential construction noise) will be limited.

Assessments of the environmental effects

Following assessment as detailed within this Record of Determination, and provided that mitigation measures are in place and best practice is followed, the residual impact is determined to be no change and there will be no significant effects on the environment.

The following environmental surveys/reviews have been undertaken:

- A design Initial Environmental Review of the scheme, undertaken by the Sustainability Solutions Team at Amey in April 2024.
- Habitats Regulations Appraisal was undertaken by the Sustainability Solutions Team at Amey in May 2024.

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

This is a relevant project in terms of section 55A (16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) are situated in whole or in part in the River Spay SAC 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:

- At end of life, components can be recycled, reducing waste to landfill.
- Any uncontaminated road planings will be recycled in accordance with Guidance on the Production for Fully Recovered Asphalt Road Planings.

- The chosen material TS2010 surface course allows a wider array of aggregate sources to be considered when compared to typical SMA.

Location of the scheme:

- The scheme will be confined to the existing carriageway boundary and as a result will not require any land take and will not alter any local land uses.
- The scheme is located within the River Spay SAC for which a HRA has been undertaken and found there will be no Likely Significant Effects.

Characteristics of potential impacts of the scheme:

- The successful completion of the scheme will afford benefits to road users due to improved condition and ride quality of the carriageway surface and better road drainage.
- The use of TS2010 road surfacing affords the benefits of a reduction in mid to high frequencies of traffic noise. As a result, ambient noise levels will likely decrease post construction.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding water environment.
- Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications.

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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