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# Environmental Impact Assessment Record of Determination

## A82 South of Laggan Swing Bridge – Resurfacing

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# Project Details

## Description

BEAR Scotland has been commissioned by Transport Scotland to carry out resurfacing works on a stretch of the A82 carriageway south of the A82 Laggan swing bridge within the Highland Council. The works include milling out and replacing bituminous material to a depth of 300mm and iron works. Following the resurfacing works, road markings will be reinstated.

The total length of the scheme is 266m with an approximate area of 0.15ha.

Main plant will include pavers, planers, excavators, and rollers. A welfare unit with generator will be required on site, and heavy goods vehicles (HGVs) will be required for transport of materials and wastes.

The resurfacing procedure is as follows:

- Set up traffic management (TM) and mark out site.
- Mill out old surface course.
- Reset and/or replace roadside gullies where required.
- Lay new surface course.
- Roll surface and allow it to set.
- Install road markings and studs.
- Remove TM and open road.

The works are currently programmed to be completed within the 2024/2025 financial year, currently commencing in August 2024. Works will be undertaken during daytime hours (07:00-19:00) over the duration of five days. Changes in the programme may result in the need for a change to nighttime working.

Traffic management (TM) will involve lane closures with temporary traffic lights and convoy working. Access to junctions and access private roads will be maintained. Site access and plant storage will be located within TM. If the programme changes, this may result in amendments to the exact TM requirements.

## Location

The scheme is located on the A82 carriageway, 160m south of A82 Laggan Swing bridge within the Highland Council (Figure 1).

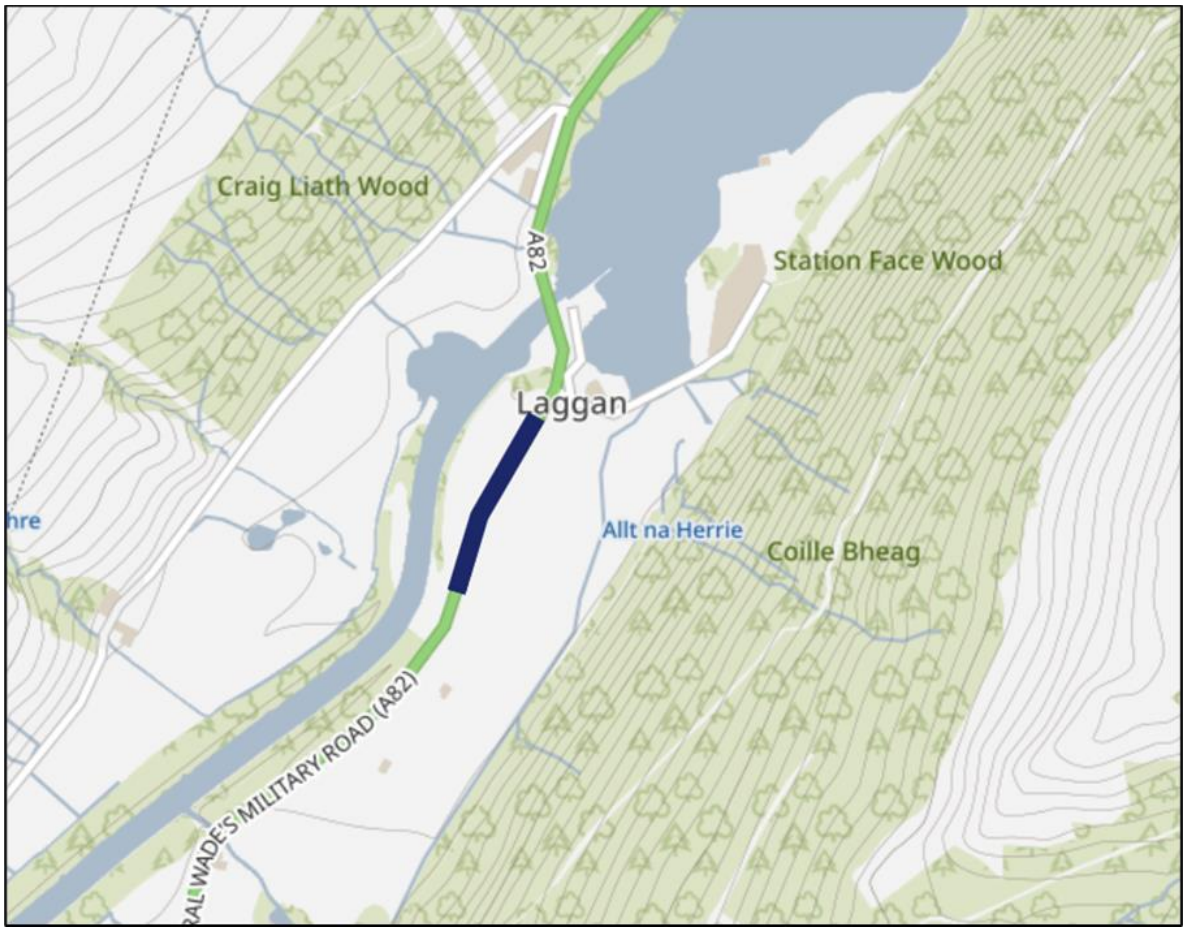


Figure 1. Location of the scheme extent.

The scheme has the following National Grid References (NGRs):

- Scheme northern point: NN 29965 98140
- Scheme southern point: NN 29844 97892

# Description of local environment

## Air quality

The scheme is not located within an Air Quality Management Area (AQMA) (Air Quality in Scotland). The nearest AQMA lies within Inverness, 60km north of the scheme.

No Air Quality Monitoring Stations (AQMS) are located within 10km of the proposed works (Air Quality in Scotland).

No Scottish Pollutant Release Inventory (SPRI) sites (which are registered for air pollutant releases), are located within 10km of the scheme (Scotland's Environment).

Baseline air quality at the scheme location is likely to be primarily influenced by vehicle traffic along the A82 trunk road and boat movements along the Caledonian Canal. Secondary sources are likely derived from day-to-day urban and agricultural activities.

The nearest manual traffic count point on the A82 carriageway lies approximately 1.1km southwest of the works. The average annual daily flow (AADF) data for A82 traffic at this point in 2023 was recorded as being 4,397 vehicles, including 178 (4%) heavy goods vehicles (HGVs) (Road traffic statistics).

## Cultural heritage

A desktop study using Historic Environment Scotland's PastMap has identified the following features of cultural heritage within 300m of the scheme:

- Scheduled Monument 'Caledonian Canal, Laggan Locks to Loch Oich' (SM6494), which lies 40m west of the scheme at its nearest point.
- The scheme extent is located within Blar Na Léine Inventory Battlefield (ID: BTL29).

Of lesser cultural heritage value, six Historic Environment Records (HERs) and nine records on the Canmore database lie within 300m of the scheme extents. The nearest of these is a record of a military road and lies 30m northeast of the scheme.

No Garden & Designed Landscapes, Listed Buildings, Conservation Areas or World Heritage sites were identified within 300m of the scheme (PastMap).

## Landscape and visual effects

The scheme is not located with a National Park or National Scenic Area (SiteLink).

The scheme lies within a semi-rural area, with land use surrounding the scheme being a mixture of agriculturally improved, re-seeded and heavily fertilised grassland, scattered urban development and road network. Woodland is a prominent landscape feature in the wider area. The Caledonian Canal lies west of the scheme (at a distance of 40m); however, it is screened from the scheme extents by topography and shrubbery.
The Landscape Character Type (LCT) for the scheme extent is recorded as 'Broad Forested Strath' (LCT No. 235), which is characterised by:

- Broad, low-lying straths with rolling relief and sculptural glacial landforms.

- Simple, large scale mosaic of forested ridges, rolling pastures and heather moorland, but dominated by swathes of forestry.
- A comparatively densely settled landscape with villages, houses and sporadic commercial development.
- Quarries hidden amongst the woodland cover.
- Strong communication and service corridors.
- Long distance views from surrounding hills over the glens, which are framed by steep glen sides.
- Lochs, rivers or canals on glen floor have often been engineered or substantially altered by man.

# Biodiversity

The scheme is not located within 2km of and/or does not share connectivity with European sites (Special Area of Conservation (SAC), Special Protection Area (SPA), or Ramsar site) (SiteLink).

South Laggan Fen Site of Special Scientific Interest (SSSI) lies within scheme extents. The SSSI is designated for transition open fen, which is a wetland habitat (SiteLink), and refers to fen and swamp vegetation with associated open water, grassland and woodland.

There are no other locally or nationally designated sites (i.e. SSSI, National/Local Nature Reserves) which lie within 300m of the scheme (SiteLink).

The NBN Atlas did not highlight any records of invasive non-native plant species (INNS) (as listed on Schedule 9 of the WCA) or invasive native perennials (as listed in the Trunk Road Inventory Manual) under the same search criteria.

The NBN Atlas highlighted one record of common ragwort, which is an injurious weed (as listed under the Weeds Act 1959) under the same search criteria.

Transport Scotland's Asset Management Performance System (AMPS) did not identify any INNS, injurious weeds or invasive native perennials within 300m of the scheme.

Expanses of woodland listed on the Ancient Woodland Inventory (AWI) as Other (on 'Roy' map) and 'Ancient' (of semi-natural origin) lie within 300m of the scheme (Scotland's Environment).

There are no areas of woodland or individual trees covered by a Tree Preservation Order (TPO) within 300m of the scheme extents (Highland Council).

The habitat surrounding (within 300m) the scheme is dominated by open fields of rough grassland potentially used for sheep pastures. Caledonian Canal and Loch Oich provide significant freshwater habitat.

The scheme will be restricted to the existing A82 trunk road boundary and relates to works of a localised nature over a short duration and undertaken during the daytime working hours. As such the potential for impacts to the surrounding environment and protected / notable species identified within the desktop study are considered to be negligible, and a site visit has been deemed to be unnecessary.

## Geology and soils

The scheme does not lie within a Geological Conservation Review Site (GCRS), or within a geologically designated SSSI (NatureScot).

Superficial deposits within the scheme extent are comprised of glaciofluvial deposits (gravel, sand and silt), and alluvium and river terrace deposits (Gravel, sand, silt and clay) which are sedimentary superficial deposits (BGS Geoindex).

Bedrock within the scheme extents is comprised of great glen fault zone (cataclasite) and old red sandstone supergroup (fault-gouge), which are metamorphic bedrock (BGS GeoIndex).

The local soil type is recorded as mineral podzols (Scotland's Environment Map).

Soils within the scheme extent are recorded as being 'Class 0', as displayed on Scotland's Peat Map. Class 0 are mineral soils with no peat present.

This receptor has no constraints (as identified in Environmental Baseline) that are likely to be impacted by the proposed works and as such 'geology and soils' is scoped out and is not discussed further within this RoD.

## Material assets and waste

The proposed works are necessary to resurface sections of the A82 carriageway, requiring base/binder inlay, and reinstatement of road markings, studs, and kerbing where required. Materials used will consist of:

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

- Pre-cast concrete kerbs

Wastes are anticipated to be removed planings from the surface course, which will be recovered for re-use in line with BEAR Scotland's Procedure 126: The Production of Fully Recovered Asphalt Road Planings. The Contractor is responsible for the disposal of road planings and this has been registered in accordance with a Paragraph 13(a) waste exemption issued by SEPA, as described in Schedule 3 of the Waste Management Licensing Regulations 2011.

The value of the scheme exceeds £350,000 therefore, a Site Waste Management Plan (SWMP) will be produced.

## Noise and vibration

For sensitive receptors, refer to the 'Population and Human Health' section below.

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

There is no modelled noise level data available for the A82 carriageway within the scheme extents (Scotland's Noise Scotland's Environment).

Baseline noise levels are likely to be influenced by traffic travelling along the trunk road and Caledonian Canal. Secondary sources are likely derived from day-to-day urban and agricultural activities.

## Population and human health

Seven residential properties lie within 300m of the scheme. Properties are scattered across the landscape with the nearest 'North Laggan' lying 100m northeast of the scheme. Properties located north of the scheme are screened by a conifer tree shelterbelt, whereas properties located south of the scheme, have no screening for the scheme.

National Cycle Network (NCN) route 78 (Sustrans - OS Maps) travels parallel to the A82 carriageway at a distance of 30m west, later crossing the A82 50m north of the scheme extents (WalkHighland). This route is also noted as a Core Path 'South Laggan to Loch Oich on Great Glen Way' (ID: 96) (Scotland's Environment) and a walking route listed on WalkHighlands 'Great Glen Way 3: Laggan to Fort Augustus'.

One access point is located on the northbound carriageway within the scheme extent, leading to an area of private gated land.

TM will involve lane closure with temporary traffic lights and convoy working. Access to junctions and private access roads will be maintained.

The A82 Trunk Road, within the North West, connects Alexandria with Crianlarich, Fort William and Inverness. It commences immediately north of Tullichewan Roundabout in Alexandria leading generally northwards for 243 kilometres to its junction with the A9 at (but excluding) Longman Roundabout in Inverness. The A82 is predominantly single carriageway along its length, with some of '2+1' carriageway. The A82 is a single carriageway within the scheme extent.

## Road drainage and the water environment

There are no waterbodies as classified by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD) (SEPA Water Classification Hub) spanned by or culverted beneath within the scheme extents.

Caledonian Canal Loch Oich catchment boundary, a classified waterbody (ID: 30974) lies parallel to the scheme extents 40m west at its nearest point. Caledonian Canal – Loch Oich to catchment boundary is a canal in the River Ness catchment of the Scotland River basin district. The waterbody has been designated as an artificial waterbody on account of physical alterations that cannot be addressed without significant impact on navigation (SEPA Water Classification Hub).

Caledonian Canal discharges into Loch Oich, which is a classified loch (ID: 100188) 165m north of the scheme (SEPA Water Classification Hub). However, Loch Oich, at its nearest point to the scheme, lies 95m northeast. Loch Oich is a lake in the River Ness catchment of the Scotland River basin district. It is 1.9 square kilometres in area.

Both Caledonian Canal – Loch Oich to catchment boundary and Loch Oich have been assigned WFD overall classification of 'Good' (in 2022) (SEPA Water Classification Hub).

Numerous minor unclassified surface waterbodies considered to be minor drainage channels or tributaries lie within 300m of the scheme extents.

The scheme is underlain by the 'Northern Highlands' groundwater body, which was classified by SEPA in 2022 as having an overall status of 'good' (SEPA Water Classification Hub). This groundwater body is also recorded as a Drinking Water Protected Area (DWPA) (Ground) (Scotland's Environment).

The A82 within the scheme extent has a high risk of fluvial flooding, which means that each year, these areas have a 10% chance (high risk) of flooding (SEPA Flood Maps).

# 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 all relevant regulations, guidance, policies and plans, notably including the Environment and Sustainability Discipline of the Design Manual for Roads and Bridges (Design Manual for Roads and Bridges (DMRB)) and Transport Scotland's Environmental Impact Assessment Guidance (Guidance - Environmental Impact Assessments for road projects (transport.gov.scot)).

# Description of main environmental impacts and proposed mitigation

## Air quality

Construction activities associated with the proposed works have the potential to temporarily cause local air quality impacts. Activities undertaken on site may cause

dust and particulate matter to be emitted to the atmosphere. However, taking into account the nature and scale of the works and the following mitigation measures, the risk of significant impacts to air are considered to be low.

- When not in use, plant and vehicles will be switched off; there will be no idling vehicles.
- All plant, machinery and vehicles associated with the works will be maintained in order to minimise emissions, as per manufacturing and legal requirements. No significant dust, particulate matter, and exhaust emissions sources will be introduced by the works.
- Green driving techniques will be adopted, and effective route preparation and planning to be undertaken prior to works.
- All delivery vehicles carrying material with dust potential will be covered when travelling to or leaving site, preventing the spread of dust beyond the work area.
- Activities involving cutting/planing will be appropriately managed to reduce the potential for dust creation. This will involve use of measures such as dampening down or on tool extraction where required.
- Material stockpiles will be reduced as far as is reasonably practicable by using a ‘just in time’ delivery system. All material will also be stored on made ground.
- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.
- Materials will be removed from site as soon as is practicable.
- Good housekeeping will be employed throughout the work.
- Drop heights to haulage vehicles and onto conveyors will be minimised.
- Surfaces will be swept where loose material remains following planing.

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

## Cultural Heritage

Although the works take place within the boundary of Blar Na LéIne Inventory Battlefield, all work is restricted to the already engineered carriageway boundary, and as such the potential for exposure of cultural heritage features is considered negligible; construction of the A82 road corridor is likely to have removed any archaeological remains that may have been present.

As standard, the following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

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

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

## Landscape and visual effects

There will 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, works will be restricted to the A82 carriageway boundary and will be limited to the like-for-like replacement of the carriageway surface and will be carried out over 5 days in total.

Land use will not change as a result of the works, and the works will not result in any residual change to the visual amenity of the local landscape.

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 is not permitted. This includes general works, storage of equipment/containers and parking.
- Where applicable, upon completion of the works, any damage to the local landscape shall be reinstated as much as is practicable.
- The site will be left clean and tidy following construction.

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

# Biodiversity

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

The works partly lie within the boundary of South Laggan Fen SSSI, however the works are not classed as 'operations requiring consent' (NatureScot).

All works will be restricted to the A82 carriageway surface and will not entail any vegetation clearance or works within the soft verge. There are no significant earthworks associated with the scheme, and the scheme does not require permanent (or temporary) land-take, accommodation works, site clearance or locally gained resources, and there is no requirement to import topsoil. As such, there is limited potential to spread or introduce INNS, invasive native perennials, or injurious flowering plant species.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the Site Environmental Management Plan (SEMP) and adhered to on site. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- Site personnel will remain vigilant for the presence of potentially unrecorded instances of INNS or injurious weeds in road verges throughout the works period. Should any INNS be identified in working areas, no works shall take place within 7m of these areas until the BEAR Scotland Environment Team can provide further advice on additional mitigation measures.
- Works will be strictly limited to areas required for access and the works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- Site personnel will remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works will temporarily halt until the species has sufficiently moved on. Any sightings of protected species shall be reported to the BEAR Scotland Environment Team.
- A 'soft start' will be implemented on site each day. This will involve switching on vehicles and checking under/around vehicles and the immediate work area for mammals prior to works commencing to ensure none are present and that there is a gradual increase in noise.
- Relevant toolbox talks for working with protected species will be included in the SEMP.

- Any excavations, exposed pipes/drains, or areas where an animal could become trapped (e.g., storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works to avoid animals falling in and becoming trapped.
- Any artificial lighting used during night works or periods of low light levels will be directional and will avoid spilling into sensitive areas.
- If fencing is utilised at any point during the works, a gap of 200mm from ground level will be provided, allowing free passage for mammals and preventing entrapment.

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

## Material assets and waste

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

- Materials will be sourced from recycled origins as far as reasonably practicable within design specifications.
- Care will be taken to order the correct quantity of required materials to prevent the disposal of unused materials.
- Where possible, minimal packaging will be requested on required deliveries to reduce unnecessary waste and production of packaging materials.

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

- The waste hierarchy (Reduce, Reuse, Recycle and Dispose) will be employed throughout the construction works.
- The subcontractor will adhere to waste management legislation and ensure they comply with their Duty of Care.
- Containment measures will be in place to prevent debris or pollutants from entering the surrounding environment.
- Planings will be re-used or recycled under a SEPA Paragraph 13(a) waste exemption and in line with BEAR Scotland's procedure 126: The Production of Fully Recovered Asphalt Road Planings.
- All wastes and unused materials will be removed from site in a safe and legal manner by a licensed waste carrier upon completion of the works. The

appointed waste carrier will have a valid SEPA waste carrier registration, a copy of which will be provided to and retained by BEAR Scotland as early as possible.

- All appropriate waste documentation will be present on site and will be available for inspection. A copy of the Duty of Care paperwork must be provided and filed appropriately in accordance with the Code of Practice (as made under Section 34 of Environmental Protection Act 1990 as amended).
- Re-use and recycling of waste will be encouraged and undertaken where possible, and the subcontractor will be required to fully outline their plans and provide documentary evidence for waste arising from the works (e.g., waste carrier's licence, transfer notes, and waste exemption certificates).
- Appropriate measures will be implemented during resurfacing operations to limit the potential for wastes (i.e. road planings) and materials (i.e. new asphalt) to enter any gullies present on site. On completion of resurfacing operations, any gullies present on site will be visually checked to ensure they have not become blocked as a result of the scheme.
- Staff will be informed that littering will not be tolerated. Staff will be encouraged to collect any litter seen on site.

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

## Noise and vibration

Construction activities associated with the proposed works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. The works will employ a daytime working pattern.  Due to the short duration and localised nature of the works, the proposed scheme is anticipated to result in temporary minor noise impacts during the construction programme.  The following mitigation measures will be put in place:

- The Best Practicable Means, as defined in Section 72 of the Control of Pollution Act 1974, will be employed at all times to reduce noise to a minimum.
- On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- All site personnel will be fully briefed in advance of works regarding the need to minimise noise during works and of the site-specific sensitivities.

- All plant will be operated in such a way that minimises noise emissions and will have been maintained regularly to the appropriate standards.
- Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms will be utilised during construction.
- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

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

## Population and human health

During construction, activities undertaken on site may have temporary adverse impacts on vehicle travellers, and non-motorised road users (NMUs) as a result of construction presence, and associated noise and delays due to traffic management measures. Road users and local bus operators will be informed of works through a media release, which will provide details of construction dates and times.

No significant congestion issues are noted during the proposed construction hours; however increased journey times may occur, but these are considered insignificant considering the relatively low traffic counts.

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

- Notification will be issued to local public transport operators prior to commencement of the works, advising of any proposed works and expected restrictions.
- Local access will be granted as required.
- Any changes of schedule (e.g. change from daytime works to nighttime works) will be communicated to travelling public throughout the programme.
- Appropriate provisions / measures will be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site (if required).
- Journey planning information will be available for drivers online at the trafficscotland.org website. Journey planning information will also be available for drivers online through BEAR Scotland’s social media platforms.

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

## Road drainage and the water environment

During resurfacing works, there is potential for temporary impacts on the water environment. Potential changes in water quality from pollution events (either by accidental spillage of sediments, particulate matter, chemicals, fuels or by mobilisation of these in surface water caused by rain/flooding) during works have the potential to have a direct or indirect effect on the surrounding waterbodies. The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

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

will be quickly accessible to capture any spills should they occur. The ground / stone around the site of a spill will be removed, double bagged and taken off site as special contaminated waste.

- Generators and static plant may have the potential to leak fuel and / or other hydrocarbons and will have bunding with a capacity of 110%. If these are not bunded then drip trays must also be supplied beneath the equipment with a capacity of 110%.

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

## Climate

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

- BEAR Scotland will adhere to their Carbon Management Policy.
- Local contractors and suppliers will be used as far as practicable to reduce fuel use and greenhouse gas emitted as part of the works.
- Where possible, materials will be sourced locally to reduce greenhouse gas emissions associated with materials movement, and waste will be disposed at local landfill.

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

## Vulnerability of the project to risks

The A82 within the scheme extent has a high risk of fluvial flooding (10% chance each year). Works will be programmed as far as is reasonably practicable to avoid periods of adverse weather or heavy rainfall.

Works are restricted to the A82 carriageway and traffic management will be designed in line with existing guidance. Traffic management will consist of lane closure with temporary traffic lights and convoy working, access to junctions and private access roads will be maintained. Where required, alternative NMU provisions/routes will be included in the traffic management setup, to minimise impact of the works on NMUs.

A Traffic Management Plan (TMP), which includes measures to avoid or reduce disruption to road traffic, will be produced in accordance with the Traffic Signs Manual (Department of Transport 2009). The TMP will ensure that there is no severance of community assets, access routes or residential development.

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

## Assessment of cumulative effects

The proposed works are not anticipated to result in significant environmental effects. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity. A search of the Highland Council Planning Portal (Highland Council Planning Portal) identified no approved planning applications within 300m of the scheme, in the last 6 months.

A search of the Scottish Roads Works Commissioner website (Scottish Road Works Online) has identified that no other roadworks are currently ongoing, or noted as being planned, on the trunk road at the same time as this scheme. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity.

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

Overall, it is unlikely that the proposed works will have a significant cumulative effect with any other future works in the area.

# Assessments of the environmental effects

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

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

This is a relevant project in terms of section 55A(16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) is situated in part within South Laggan Fen Site of Special Scientific Interest 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 EIA is required under the Roads (Scotland) Act 1984 (as amended by The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017). Screening using Annex III criteria, reference to consultations undertaken, and review of available information has not identified the need for a statutory EIA.

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

**Characteristics of the scheme:**

- Works are restricted to like-for-like replacement of the road surface on the A82 South of Laggan Swing Bridge.
- Construction activities are restricted to an area of 0.15ha along a 266m stretch of the A82.
- The works will be temporary, localised, and completed during daytime hours over up to 5 days.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.
- The risk of major accidents or disasters is considered to be low.
- By removing the carriageway defects this will provide this part of the A82 carriageway with another life cycle, and significantly improve the ride quality, which will result in safer conditions for road users.
- No impacts on the environment are expected during the operational phase as a result of works. The works are expected to result in positive impacts on road users and nearby human and ecological receptors during the operational phase.

**Location of the works:**

- The scheme will be located within the existing A82 road boundary and as such, no land take will be required.
- The works will not result in any change to the qualifying features of the SSSI in which the scheme is partially situated.
- Several residential properties lie within 300m of the scheme. The nearest 'North Laggan' lying 100m northeast of the scheme which is screened by a conifer tree shelterbelt.
- Any impacts to the local landscape during the construction phase will be minor, temporary and not considered significant. In addition, no operational impacts are anticipated.

**Characteristics of potential impacts of the works:**

- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- No impacts on the environment are expected during the operational phase as a result of works. The works are expected to result in positive impacts on road users, ecological and human receptors during the operational phase.
- As the works will be limited to the like-for-like replacement there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment.
- Mitigation measures detailed above (and in the SEMP) will be put in place with the objective to prevent and, if required, subsequently control any potential impacts on sensitive receptors.

# Annex A

"sensitive area" means any of the following:

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

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