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Environmental Impact Assessment Record of Determination

A90 South of Revel Green Northbound (Resurfacing)

Contents

Project Details

Description

The works are required due to a section of the A90 carriageway (northbound), northeast of Forfar, Angus, displaying various defects and deterioration. This was identified from a visual condition survey (VCS) which highlighted extensive fretting and chip loss as well as potholes, crazing, longitudinal cracking, and a few transverse cracks.

The scheme covers an approximate area of 1.05 hectares.

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

- Implementation of temporary traffic management (TTM) and marking out site (TTM plant);
- Removal of existing surfacing and milling carriageway to agreed depths (planer);
- Lay new binder and surface course (paver and roller);
- Reinstatement of road markings, linings and studs (lorries and plant); and
- Removal of TTM.

The proposed construction is programmed to be completed within this financial year (April 2024 to March 2025) for the duration of 10-12 weekday overnight shifts.

TTM will comprise of lane closures and an overnight convoy for the works duration. Angus Council Environmental Health Team have been notified of such arrangements.

Location

This section of the A90 northbound (NB) carriageway is a dual carriageway located northeast of Forfar, Angus at the following National Grid References (NGRs) (Figure 1):

- Scheme start: NO 48041 55448
- Scheme end: NO 46085 54311

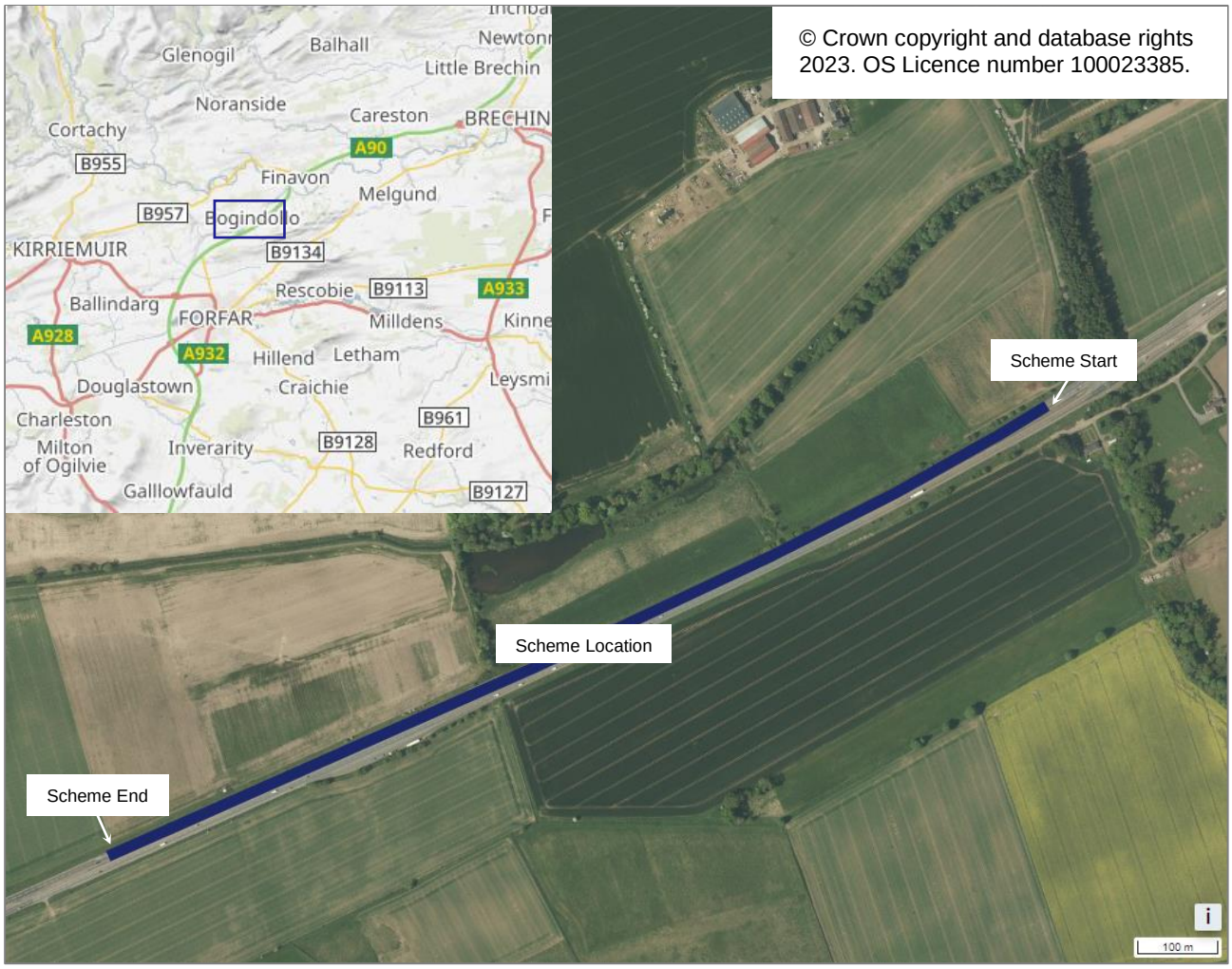

Figure 1. Scheme Location

Description of local environment

Air quality

Baseline air quality surrounding scheme extents is likely to be influenced by high traffic flow along the A90 trunk road and surrounding agricultural activities. Annual Average Daily Flow (AADF) (one-way traffic flow) in 2022, (Drakewell site ID: JCT00060) was 20,082 total vehicles with 25.9% Heavy Goods Vehicles (HGVs).

There are three residential properties located within 200m, the closest located approximately 30m south of scheme extents (Parkford Cottages, NO 47388 54856).

No non-residential receptors are located within 300m.

Angus Council has not declared any Air Quality Management Areas (AQMAs).

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

Cultural heritage

A desktop study using the PastMap resource has not identified any designated cultural heritage assets within 300m.

The following Historic Environment Record (HERs) features have been identified within 200m:

- Lenmo Burn (Ref: NO45SE0006) 5m north.
- Parkford (Ref: NO45SE0049) 35m south.
- Wardmill (Ref: NO45SE0093) 190m west.
- Carse Grey (Ref: NO45SE0047) 185m south.
- Hill of Carse (Ref: NO45SE0005) 185m south.

There are no Listed Buildings, Scheduled Monuments, Conservation Areas, World Heritage Sites or Inventory Battlefields identified within 300m of the scheme.

Landscape and visual effects

The scheme is located within a rural area of the A90 with the surrounding landscape consisting of agricultural land as classified as rectilinear fields and farms (HLAMap).

This scheme is not located within a National Park, National Scenic Area, or any other area designated for landscape character or quality (Sitelink).

The scheme is located within the Broad Valley Lowlands – Tayside Landscape Character Type (LCT 384) with some of the following key characteristics:

- Broad straths formed by glacial erosion, loosely enclosed by the foothills and massif to the north, and lower locals hill ridges to the south.
- Undersized, misfit rivers which typically from adjacent low elevations do not read as dominant landscape features.
- Complex local topography caused by glacial deposition, including outwash terraces, eskers and dry valleys.
- Influence of large estates, particularly in terms of mature woodland and policies defined field boundaries and enclosed estate houses.
- Dominance of arable and root crops, in large fields typically enclosed by post and wire fencing, which contribute to the overriding horizontal landform and large to medium scale.
- Significant network of roads running through landscape, with main trunk roads including the A9 and A90 roads running along the straths linking a number of large towns.
- Well-settled landscape with strong hierarchy of settlement types from large towns to small villages, located within a well-populated agricultural landscape.
- Wide, panoramic views across the breadth of the strath, running along and up to the enclosing hills. In particular there are unrivalled views from Strathmore up to the foothills and uplands of the Grampian Mountains to the north.

No Tree Preservation Orders or areas of Ancient Woodland immediately surround, or will be impacted by the works.

Views to and from the road will be visually impacted for the duration of the works due to the presence of TM, plant, machinery and NRMM. However, due to the general topography of the area, with steep-sided vegetated roadside embankments lining the NB carriageway, there are no identified residential visual receptors. As such, there are no significant impacts are anticipated to Landscape and Visual Effects and thus has been scoped out of requiring further assessment.

Biodiversity

NatureScot's Sitelink resource has identified one European designated site located within 2km of the scheme, the River South Esk Special Area of Conservation (SAC) (NatureScot ID: 8364) located 135m north. Due to the distance from, the potential for hydrological connectivity and thus the potential for Likely Significant Effects (LSE) to the sensitive area and its qualifying features, a Habitats Regulations Appraisal (HRA) has been undertaken.

No other designated sites are within proximity or have direct connectivity to the works area, including Sites of Special Scientific Interest (SSSIs), local and national nature reserves (Sitelink).

NBN Atlas and Transport Scotland's Asset Management Performance System (AMPS) have not recorded any Invasive Non-Native Species (INNS) within 500m of extents. However, AMPS has recorded the injurious weed species of Rosebay willowherb *(Chamerion angustifolium)* within the roadside verge of the NB carriageway towards both the scheme start and end points.

No Tree Preservation Orders or areas of Ancient Woodland immediately surround, or will be impacted by the works.

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 scheme extents is comprised of:

- Sedimentary bedrock of the Scone Sandstone Formation (sandstone) formed between 419.2 and 393.3 million years ago (Mya) during the Devonian period.

Superficial deposits comprise of:

- Sedimentary superficial deposits of Till, Devensian (Diamicton) formed between 116 and 11.8 thousand years ago during the Quaternary period.

As a result of the works taking place strictly within made ground and surface layer of the A90 carriageway boundary, it has been determined that the proposed project 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

The proposed works are required to resurface the worn carriageway with notable 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 not in excess of £350k and therefore a Site Waste Management Plan (SWMP) will not be required.

Noise and vibration

The scheme is located along a rural stretch of the A90 northeast of Forfar, Angus. There are three noise-sensitive receptors (NSRs) within 300m of the scheme, the closest located 30m south (Parkford Cottages). These properties are screened from the carriageway by a steep road-side embankment.

No non-residential noise sensitive receptors (NSRs) are present within 300m of the scheme.

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).

Scotland's Noise Map has indicated modelled day-evening-night noise levels (Lden) within the carriageway to be 70-75dB with night noise levels (Lnight) between 60-65dB.

Baseline noise levels surrounding scheme extents is likely to be influenced by high traffic flow along the A90 trunk road and surrounding agricultural activities. AADF

one-way traffic flow) in 2022, (Drakewell site ID: JCT00060) was 20,082 total vehicles with 25.9% HGVs.

Population and human health

No community facilities (healthcare, educational, religious, or recreational) are located within 300m. However, the carriageway surrounding scheme extents connects various areas such as Forfar approximately 4km south and Brechin approximately 11km northeast. These larger towns play host to medical practices, educational facilities, and basic amenity facilities such as shops and fuel garages.

No Public Rights of Way (PRoW), namely bridleways, footways (including Angus Council Core Paths) or cycleways (including National Cycle Network routes) are located along the A90 within scheme extents.

Scheme extents are not street-lit.

An off-slip to Bogindollo Junction is located at the scheme start which provides access/egress to a local road and residential properties within Bogindollo.

Road drainage and the water environment

The scheme is located within Finavon groundwater body (ID: 150615), with a good overall condition in 2021 (SEPA Water Environment Hub).

Lenmo Burn (ID: 5806) runs almost parallel with the carriageway and is 135m north of the scheme at its closest point. This watercourse has an overall moderate ecological potential under the Water Framework Directive (WFD) (SEPA Water Environment Hub) and has a high chance (10%) of flooding (surface and river) annually (Flood Maps | SEPA - Flood Maps | SEPA).

Two culverts are located along scheme extents at NGRs NO 46645 54569 and NO 47006 54739, carrying field drainage beneath the A90 carriageway.

The scheme is located within the Strathmore and Fife (including Finavon) Nitrate Vulnerable Zone (NVZ).

Road drainage is provided by top-entry gullies and filter drains throughout.

No areas of the A90 carriageway within scheme extents are identified at risk of surface or river flooding (SEPA Flood Maps).

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.

Amey is working towards a contractual commitment to have carbon neutral depots on the NE NMC network by 2028. Amey have set carbon goals for the NE NMC contract as a whole to be net-zero carbon by 2032.

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 implementation of mitigation the proposed works impacts on local air quality levels during the construction period are assessed to be temporary negligible adverse in

magnitude and 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 scheme extents, there is no earthworks or land acquisition associated with the scheme, with original construction of the A90 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.

Furthermore, vibration levels will be similar (or lower), and less prolonged than that during construction of the A90 trunk road, and thus no significant impacts are anticipated upon any non-designated cultural heritage features identified.

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.

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 identified sensitive area. This concluded that there will be no Likely Significant Effects (LSE) on the River South Esk SAC and its qualifying features as works are contained to the carriageway surface and thus will not directly impact the European Site due to the following:

- The habitat area of the designated site 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 site, and standard industry best practice will be implemented onsite throughout the construction period to mitigate potential impacts to the SAC, 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:

- As part of the Network Management Contract (NMC) Amey, on behalf of Transport Scotland, keep records of various target species, including Rosebay willowherb. Works will not cause the spread of such species, if works are likely to result in the spread of species through disturbance, Amey's Landscaping Team will be consulted.
- A 'soft start' will be implemented on site each day. This will involve 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. Reinstatement of any damaged areas will be undertaken (if required) 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.

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.

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, therefore will likely increase noise levels from ambient night levels.

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.

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 may 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 TTM. This may include longer journey times for those travelling within the surrounding area. However, works are operating overnight when vehicle traffic is lowest, and thus any delays are not anticipated to be significant.

An off-slip to Bogindollo Junction is located at the scheme start point, however, this will be maintained throughout the works, with no diversion route required.

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/or businesses will be informed of the proposed working schedule, particularly the times and durations 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.
- Angus Council's Environmental Health Team have been contacted to notify of night-time programming.

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, including the River South Esk SAC. Please see Biodiversity section above for details regarding this sensitive area.

The following mitigation measures will be in place to reduce the risk of pollution incidents as a result of works:

- Operatives will be made aware of the proximity, and sensitivity of the surrounding watercourse Lenmo Burn prior to works commencing.
- 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), on 0800 083 0084.
- In the event of a 'serious 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.

The following mitigation measures will be in place:

- Where possible, materials and suppliers will be sourced locally to reduce greenhouse gas (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, the residual significance of effect on climate is considered to be neutral.

Therefore, in accordance with DMRB Guidance document LA 114: Climate, no further assessment is required.

Major accidents and disasters

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.

TTM will comprise of lane closures and an overnight convoy, with the overall vulnerability of the project to risks of major accidents and disasters 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.

Angus Council Planning Portal has identified a single planning application on an existing farm property approximately 420m north of the scheme. This application, however, is still awaiting decision, and therefore no in-combination effects are anticipated with the proposed scheme due to timescales involved (scheme to be completed within July 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 A90 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 scheme.

The following environmental surveys/reviews have been undertaken:

- An Environmental Scoping Assessment of the scheme, undertaken by the Amey Environment and Sustainability Team in June 2024.
- A Habitats Regulations Appraisal of the scheme, undertaken by the Amey Environment and Sustainability Team in June 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) exceed 1 hectare in area.

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:

- Construction activities are restricted to the existing carriageway boundary within made ground and as such there will be no residual change to the local landscape as a result of the works.
- No in-combination effects have been identified.

- 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.
- As the works will be limited to improving the road surface, there is no adverse change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment. No impacts on the environment are expected during the operational phase as a result of works.
- By improving the road surface this will provide this part of the A90 carriageway an extended life cycle, and improve road safety, thus having positive operational impacts for road users.

Location of the scheme:

- Works are not located within an area designated for its specific landscape character or quality.
- The scheme is not situated in whole or in part in a sensitive area.
- The scheme is located <2km from one sensitive area, the River South Esk SAC, however, no LSE are anticipated to this site, with standard and best practice working methods in place that further negate the potential for any impacts to the area and the qualifying features.
- The scheme will be confined within the existing carriageway boundary and as a result will not require any land take or alter any local land uses or habitats.
- Any impacts to the local landscape during the construction phase will be minor, temporary and not considered significant. In addition, no operational adverse impacts are anticipated.

Characteristics of potential impacts of the scheme:

- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- Any potential impacts of the works are expected to be temporary, non-significant, and limited to the construction phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- No in-combination effects have been identified.

References of supporting documentation

- An Environmental Scoping Assessment of the scheme, undertaken by the Amey Environment and Sustainability Team in June 2024.
- A Habitats Regulations Appraisal of the scheme, undertaken by the Amey Environment and Sustainability Team in June 2024.

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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