



TRANSPORT SCOTLAND

A9 ETTERIDGE

ENVIRONMENTAL IMPACT ASSESSMENT

**DETERMINATION UNDER SECTION 55A OF THE ROADS (SCOTLAND)
ACT 1984**

THE SCOTTISH MINISTERS give notice that they have determined that the project for undertaking resurfacing works on the A9 carriageway at Etteridge, south of Newtonmore is a relevant project within the meaning of section 55A of the Roads (Scotland) Act 1984 ("the 1984 Act") as the works are situated within a 'sensitive area' within the meaning of regulation 2(1) of the Environmental Impact Assessment (Scotland) Regulations 1999 and falls within Annex II of Directive 2011/92/EU on the assessment of certain public and private projects on the environment, but that having regard to -

(a) the selection criteria contained in Annex III of that Directive, namely

- (i) the use of natural resources, in particular land, soil, water and biodiversity;
- (ii) the production of waste;
- (iii) pollution and nuisances;
- (iv) the risks to human health (for example due to water contamination or air pollution);
- (v) nature reserves and parks;
- (vi) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC,

(b) the results of the Environmental Screening Assessment under section 55A(2) of the 1984 Act and the Assessment under regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 ("the 1994 Regulations") which concluded that there would be no likely significant effects on the River Spey Special Area of Conservation,

(c) the information set out in the Record of Determination dated 21 March 2024, available at <https://www.transport.gov.scot/transport-network/roads/road-orders-and-records-of-determination/#63527>, the project does not require an Environmental Impact Assessment. The main reasons for the conclusion that no Environmental Impact Assessment is required are:

(a) The works will not impact the special qualities for which the Cairngorms National Park is designated;

(b) The Assessment under the 1994 Regulations concluded that there will be no likely significant effects on the River Spey Special Area of Conservation; and

(c) Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase. The features of the project which are envisaged to avoid or prevent significant adverse effects on the environment are:

- (a) Mitigation measures and best practice will be implemented to ensure no short-term or long-term significant negative impacts on the environment;
- (b) Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment; and
- (c) Measures will be in place to ensure appropriate removal and disposal of waste.

T WAASER

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