



**TRANSPORT SCOTLAND**

**A9 MUNLOCHY, NORTH KESSOCK  
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 to carry out tree felling within the trunk road boundary along the A9 at Munloch near North Kessock on the Black Isle is a relevant project within the meaning of section 55A of the Roads (Scotland) Act 1984 ("the 1984 Act") as the works fall 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) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/E,
- (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") concluded that there would be no likely significant effects on the Moray Firth Special Area of Conservation, the Moray Firth Special Protection Area, the Inner Moray Firth Special Protection Area, and the Inner Moray Firth RAMSAR,
- (c) the information set out in the Record of Determination dated 29 September 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 entail proactive felling of trees which are now unprotected and would likely fall during periods of high winds causing a risk for road users as well as loss of habitat, major visual impact, and disturbance of soil structure;
- (b) The Assessment under the 1994 Regulations concluded that there would be no likely significant effects on the Moray Firth Special Area of Conservation, the Moray Firth Special Protection Area, the Inner Moray Firth Special Protection Area, and the Inner Moray Firth RAMSAR; and
- (c) The works will be undertaken during daylight hours to minimise disturbance.

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) Pre-works surveys will be conducted to ensure there will be no impacts on protected species which may reside within the trees; and
- (c) Measures will be in place to ensure appropriate removal and disposal of waste.

**T Waaser**  
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