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## A87 Carrich Bridge

### Site Environmental Management Plan

|             | Name               | Organisation | Signature | Date     |
|-------------|--------------------|--------------|-----------|----------|
| Prepared By | [Redacted]         |              |           | 15/05/18 |
| Checked By  |                    |              |           | 22/05/18 |
| Client:     | Transport Scotland |              |           |          |

| Distribution  |         |        |
|---------------|---------|--------|
| Organisation  | Contact | Copies |
| BEAR Scotland |         |        |

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## SITE ENVIRONMENTAL MANAGEMENT PLAN (SEMP)

The objective of this SEMP is to ensure prevention of pollution to land, air or water and compliance with current environmental legislation, and to provide a benchmark for best practice. For the avoidance of doubt, pollution prevention procedures include, but are not necessarily limited to: all aspects of traffic, plant and materials management, waste management, surface water and drainage management and asphaltic and concrete management. Consideration of Disruption due to Construction is considered within the individual mitigation topics. *The SEMP must be included in the site file and used as toolbox talk during site induction for all site personnel. All site personnel must sign to confirm they have received toolbox talk.*


### SENSITIVE RECEPTORS

- Designated areas Loch Duich, Long and Alsh MPA, Loch Duich, Long and Alsh SAC and the Inner Hebrides and the Minches cSAC;
- Ecological features including birds, otters, marine habitats and marine mammals, and fish;
- Vehicular road users and non-motorised road users;
- Commercial properties; and
- Cultural heritage assets.

### AIR AND CLIMATE

**(responsibility for mitigation measures: BEAR Scotland Limited & Contractor)**

- Plant, machinery and vehicle engines are to be turned off when not in use in order to minimise emissions and will have been serviced regularly;
- Large material stockpiles will not be required and drop heights will be minimised to avoid excessive dust generation;
- The traffic management plan will regulate the length of time that vehicles are idle;
- In prolonged periods of dry conditions, work areas will be dampened down where necessary. The contractor will implement this measure with care to avoid mobilisation of dust and debris as runoff and polluting the local environment;
- Any skips holding waste on site will be covered to prevent dust movement; and
- Any loose materials will be covered during transportation to and/or from the site.

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### CULTURAL HERITAGE AND MATERIAL ASSETS


(responsibility for mitigation measures: Contractor)

- Due to the nature and location of the works there are no significant impacts anticipated on cultural heritage.

### BIODIVERSITY

(responsibility for mitigation measures: BEAR Scotland Limited & Contractor)

- Implementation of debris netting, protective shelters, containment; and sumps;
- Carrying out waterproofing from within protective shelters;
- Carrying out waterproofing during periods of good weather;
- Remove debris from gullies and drains using vacuum truck;
- Double bag guano;
- Contain the underbridge working platform with either debris netting or thickened sheets (if hydro-demolition);
- Layering floor of working platform to prevent any material or water going through (if hydro-demolition);
- Remove all waste concrete from site;
- Adherence to relevant PPGs and GPPs including GPP5 (works and maintenance in or near water);
- Edge protection and toerails to prevent any materials dropping into water;
- Mitigation detailed in the 'Air and Climate' and 'Noise' sections will reduce any potential disturbance impacts on species including otter, birds, marine mammals and fish;
- Mitigation detailed in the 'Water' and 'Waste Materials and Use of Natural Resources' sections will mitigate pollution of ecological habitats including soils and the marine environment associated with Loch Duich, Long and Alsh MPA, Lochs Duich, Long and Alsh SAC and the Inner Hebrides and the Minches cSAC;
- A copy of the NW Unit Organisational Otter Licence (Number 118944) (Appendix B) and the accompanying Species Protection Plan (Appendix C) will be kept on site and all conditions therein complied with during the works;
- Further otter surveys, consisting of remote monitoring using infra-red trail cameras and site visits, will be required to monitor use of the known otter shelter on Eilean Bán and the location/use of other possible shelter sites;


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- Setting up of an exclusion zone, distance to be determined following monitoring results;
- The site supervisor will brief all personnel on site as part of the induction process to ensure that everyone is aware of the presence of otter, the mitigation measures, their legal obligations and any licensing conditions imposed on them;
- The 'Working with Otters' toolbox talk (refer to Appendix A) will be given to all site personnel on induction to site;
- A 'soft start' to works shall be implemented at the start of each day. This involves checking under/around vehicles and the immediate work area and then switching on vehicles prior to works commencing to avoid a sudden increase in noise and with the aim of ensuring no otters or other species, are in the vicinity of works before vehicular movement;
- Any excavations created will be covered over at the end of each shift and following completion of the works to avoid entrapment of otters; failing that, a ramp shall be provided within the excavations;
- Any entrances to pipes/drains that are in the process of being constructed will be suitably protected to prevent otter access;
- Any lighting required to carry out the works to be directed away from Eilean Bán and Kyle Akin, as far as reasonably practicable; and
- Staff will remain vigilant for breeding birds and nests in the gorse immediately adjacent to the proposed works (up to 10m from the carriageway). Should evidence of nests or breeding birds be seen, works will stop and the site supervisor will be informed who will then seek advice from the BEAR Environment Team.

#### **LANDSCAPE / LAND**

**(responsibility for mitigation measures: Contractor)**

- Land required for building the compound area will be confined to the minimum require area;
- The site will be kept clean and tidy during and following maintenance works;
- All waste will be removed from site, with a preference for recycling, otherwise disposal at a licensed waste facility in compliance with Waste Management Regulations;
- Vehicles and large machinery/equipment will be kept as clean as possible and switched off when not in use; and
- Mitigation detailed in the 'Waste, Materials and Use of Resources' and 'Water' sections will be strictly adhered to.

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## NOISE


### (responsibility for mitigation measures: BEAR Scotland Limited & Contractor)

- Eilean Bán Trust, owner of Gavin Maxwell Museum, the self-catering accommodation and wildlife hide, will be informed at least 14 days in advance of the works;
- Consultation will be carried out ahead of the works with Eilean Bán Trust and any guests of the self-catering accommodation to inform them of the proposals. A 24-hour contact number will be provided;
- Temporary staff toilets/site compound will be located as far as is practicable from sensitive receptors;
- The 'Being a Good Neighbour' toolbox talk (refer to Appendix D) will be given to all site personnel on induction to site;
- 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;
- Night works may be required for the cyclical maintenance works but this will depend on design requirements and the contractor's programme and method of works. If required, the Highland Council Environmental Health Officer will be consulted prior to the works and evening and night-time working will be completed as quickly and efficiently as practicable;
- Where practicable, the successful contractor will try and ensure the most disruptive activities (e.g. milling, planning) are carried out within daylight hours;
- All plant will be operated in a mode that minimises noise emissions and will have been maintained regularly to comply with relevant national and international legislation;
- Where fitted and Health and Safety requirements allow, white noise reversing alarms will be used on plant to reduce noise impact; and
- If generators are required, these will be located as far away from the Gavin Maxwell Museum as reasonably practicable.

## POPULATION AND HUMAN HEALTH

### (responsibility for mitigation measures: Contractor)


- A Traffic Management Plan will be developed to minimise disruption to vehicle travellers;
- Traffic will be controlled by temporary traffic lights, allowing vehicles to continue to use one lane of Carrich Bridge during the construction phase;
- Motorists will be informed of works and likely delays via the Traffic Scotland website, media releases and by variable message and fixed signs;
- Where safe to do so, pedestrian access across Carrich Bridge will be maintained during the works; and
- Mitigation measures outlined in the 'Air Quality and Climate' and 'Noise' sections will be strictly adhered to.

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## WATER

**(responsibility for mitigation measures: BEAR Scotland Limited & Contractor)**

- A marine licence will be secured and all conditions will be adhered to;
- If required, a Registration or Simple SEPA Controlled Activities Regulations (CAR) licence will be obtained for discharges into Kyle Akin and all conditions will be complied with throughout the course of the works;
- Waste water generated from hydro-demolition will be contained and treated before disposal or discharge into Kyle Akin. The water parameters must meet a pH requirement of between 4 – 10 and also a Suspended Solids limit of 100mg/l;
- Any hydro-demolition works will be encapsulated in a double-skinned membrane to filter hydro-demolition water. Solid waste captured will be bagged and removed from site to a licenced landfill site by licenced waste carriers;
- Relevant Construction Industry Research and Information Association (CIRIA) guidance and SEPA's Pollution Prevention Guidelines (PPGs) and Guidance for Pollution Prevention (PPGs) will be followed including PPG 1, 6, 7, 8, 13, 18, 21 and 22. Particular attention will be paid to GPP 5: Works and maintenance in or near water, PPG 6: Working at construction and demolition sites and PPG 21: Pollution incident response planning;
- In the event of a pollution incident occurring, SEPA and BEAR Environment Team will be notified within 24 hours of the event;
- Containment will be in place and a sump pit used to prevent untreated water being released into the marine environment;
- Fresh concrete will be poured in such a manner that no concrete is lost or can enter the marine environment;
- Removing material through milling will be carried out during suitable periods of weather to ensure that waste material is not blown or washed into the marine environment;
- Debris netting or thickened sheets will be installed around milling working areas, including around working platforms under the bridge, and a process will be in place to retrieve any dropped items;
- Waterproofing will be carried out within protective shelters and during periods of good weather, ensuring that all overspray is enclosed and does not enter marine environment;
- Edge protection will be installed around the bridge to ensure materials cannot be knocked over the edge into Kyle Akin;
- Sediment traps and sedimentation mats will be used where required during construction to prevent spillages and chemicals entering the water environment;
- All re-fuelling will take place at a designated refuelling site, away from Kyle Akin and any road drains;

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- Oils, fuels and chemicals will be stored in bunded areas off the bridge at the best practice requirement of 110% of containment capacity of the volume stored. Drip trays will be used and maintained when dispensing;
- Spill trays will be fitted to all stationary construction plant;
- Waste will be stored in designated areas, isolated from surface drains and any other area that discharges into the environment. All skips will be covered or enclosed;
- All materials will be stored on appropriately bunded surfaces to prevent run-off of any materials into Kyle Akin;
- Gully cleaning vehicles are to be used which will vacuum water and debris from the gullies, and vacuum trucks will be emptied at licenced facilities;
- Bird Guano will need to be double bagged to prevent spillage and will be taken to a licenced facility;
- Prevention or containing of drainage and surface water run-off from site compound and storage areas during clearance, construction and post-construction to ensure there is no water pollution; and
- A contingency plan will be put in place to minimise risk of pollution incidents or accidental spillages and all necessary containment equipment will be available on site and staff trained in their use.

#### **SOILS & GEOLOGY**


**(responsibility for mitigation measures: BEAR Scotland Limited & Contractor)**

- Mitigation detailed within the 'Water' section will minimise the risk of potential contamination of soils and geology through spillages.

#### **WASTE, MATERIALS AND USE OF NATURAL RESOURCES**


**(responsibility for mitigation measures: Contractor)**

- The sub-contractor will adhere to waste management legislation, SEPA and marine licence conditions where required, and ensure they comply with their Duty of Care;
- The sub-contractor will provide all information on quantities of waste (including recycled and re-use) and transportation of materials required by the Operating Company;
- Re-use and recycling of waste is encouraged and the sub-contractor will be required to fully outline their plans and provide documentary evidence for waste arising from the works (e.g. waste carriers licence transfer notes and waste exemption certificates) as well as filling in the sub-contractor's waste return spreadsheet;
- All temporary traffic management equipment, including signs and cones, will be removed from site on completion of works; and
- Mitigation measures described in the 'Water' section will be adhered to.

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|   |  |
| <b>GENERAL</b>  |  |
| <b>(responsibility for mitigation measures: BEAR Scotland Limited &amp; Contractor)</b>   |  |
| <ul style="list-style-type: none"> <li>Adherence to all mitigation measures set out in the SEMP, marine licence, and SEPA CAR Licence (if required).</li> </ul> |  |



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## APPENDIX A: WORKING WITH OTTERS TOOLBOX TALK

REF No: TTN-011  
Revision: 2  
Date: 19/04/13

# TOOLBOX TALK Working with Otters



### WHAT ARE OTTERS AND HOW DO I RECOGNISE THEM?

- Otters have long slender bodies with short legs and a thick tapered tail. Their body is about one metre long.
- They have dark brown fur on the back with a pale underside.
- Their head is flattened with a broad muzzle, small eyes and ears.
- Otters swim low in water with only nose and eyes above water.
- Droppings are deposited on rocks and logs along watercourses and are made up of a mass of fish bones and scales.
- Footprints are dog-size, webbed with five toes and are approximately 50mm across.



### WHERE MIGHT I EXPECT TO FIND THEM?

- Otters are found across the UK and occur in both rural and urban areas, including major cities.
- They will use any size watercourse. Places where they are found include rivers, canals, lakes and reservoirs, estuaries, coasts, streams, ponds, bogs, marshes and woodland.
- Otters may use a variety of places as holts or sheltering places, for instance under tree roots or boulders or old rabbit burrows.



### WHEN MIGHT I EXPECT TO FIND THEM?

- Otters are active all year round – they are most active during the night and are cautious, so sightings are rare. It is more likely that you will see signs of otters such as droppings or worn pathways along watercourses and footprints.

**Because Everyone Accepts Responsibility**

REF No: TTN-011  
Revision: 2  
Date: 19/04/13

## TOOLBOX TALK

### Working with Otters



- Otter cubs can be born in any month of the year.

| Activity       | J | F | M | A | M | J | J | A | S | O | N | D |
|----------------|---|---|---|---|---|---|---|---|---|---|---|---|
| Adults active  |   |   |   |   |   |   |   |   |   |   |   |   |
| Birth of young |   |   |   |   |   |   |   |   |   |   |   |   |

#### WHAT DO I DO IF I FIND ONE?

**It is ILLEGAL to kill, injure or disturb an otter or damage its habitat without a licence.**

- Otters are fully-protected against killing, capture, injury and disturbance, and any places they use for shelter or protection (i.e. holts or dens) are protected against damage, destruction or obstruction.
- If an otter or its shelter is found on site after works have started, works in the area must stop immediately to avoid the law being broken.

#### WHAT ELSE MIGHT I SEE?


- Otters are often confused with mink (which is not protected in the UK). However, mink are much smaller than otter; they have a darker coat and are of slimmer build.

#### PENALTIES

Breaking the law can lead to fines of up to £5000 per offence and, potentially, prison sentences of up to six months. Removing a tree or boulder that was being used as an otter holt can lead to prosecution. Any vehicle used to commit the offence may be forfeited. Both the company and/or individuals can be held liable.

**IN ANY DOUBT AS TO THE IDENTITY OF A SPECIES YOU HAVE FOUND, DO NOT DISTURB THE ANIMALS OR DAMAGE ANY HOLES. STOP WORKS IMMEDIATELY TO AVOID BREAKING THE LAW, AND SEEK ADVICE FROM YOUR SUPERVISOR.**

**Because Everyone Accepts Responsibility**

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## TOOLBOX TALK

### Working with Otters



#### VALIDATION OF TOOLBOX TALK

After employees have received the toolbox talk information the following questions should be asked to ensure that they have listened and understood the necessary information.

The questions can be asked to a group or an individual. If the incorrect answer is given the trainer should reprise the relevant section.

Q1. Where might you expect to find an otter?

Q2. When might you expect to find an otter?

Q3. What are the potential penalties if the law is broken?

Upon completion of this toolbox talk all attendees should sign the section below.


| NAME (PRINT) | Signature | NAME (PRINT) | Signature |
|--------------|-----------|--------------|-----------|
|              |           |              |           |
|              |           |              |           |
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|              |           |              |           |

|                 |              |             |              |
|-----------------|--------------|-------------|--------------|
| <b>Trainer:</b> | (Print Name) | (Signature) | <b>Date:</b> |
|-----------------|--------------|-------------|--------------|

**B**ecause **E**veryone **A**ccepts **R**esponsibility






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## APPENDIX B: OTTER DISTURBANCE LICENCE




Scottish Natural Heritage  
 Species Licensing  
 Great Glen House  
 Leachkin Road  
 Inverness  
 IV3 8NW  
 01463 725364  
 e-mail: [licensing@snh.gov.uk](mailto:licensing@snh.gov.uk)

| Animal Licence   |   |                             |
|--|---|-----------------------------|
| <b>Licence Number:</b> 118944  | <b>Valid from :</b> 10-APR-18   | <b>Valid to :</b> 31-DEC-19 |
| <b>This Licence has been amended from Licence Number :</b> 92624   |   |                             |
| <b>Licence Holder :</b> [Redacted]   |   |                             |
| <b>Address:</b>  | Inveralmond Road<br>Inveralmond Industrial Estate<br>Perth<br>PH1 3TW   |                             |
| Additional Persons   |   |                             |
| Name   | Role  | Additional Conditions       |
| BEAR Scotland North West Unit Staff  | Agent   |                             |
| <b>This Licence is Granted under the following Legislation:</b>  |   |                             |
| The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended): Regulation 44 (2) (e)  |   |                             |
| Project Details  |   |                             |
| <p>This licence permits the disturbance of otter for the purpose of preserving public health and safety in North West Scotland in areas covered by the North West Unit of BEAR Scotland. All works must be carried out in accordance with the document entitled: "BEAR Scotland NW Trunk Roads Operations and Otters: An Otter Species Protection Plan" by Julie Bhatti and subsequent correspondence agreed in writing between SNH Licensing Team and the licence holder, but subject to modifications or amendments imposed by the conditions of this licence.</p> |   |                             |
| Activities, species and locations covered by this licence are listed in Annex 1  |   |                             |
| Conditions   |   |                             |
| 1  | All working methods, mitigation and compensation measures must be carried out in accordance with those set out in the licence application and supporting documents as listed in the project details of this licence, and any subsequent correspondence agreed in writing between SNH Licensing Team and the licence holder, but subject to any modifications or amendments imposed by this licence. |                             |
| 2  | All workers must be briefed about the likelihood of otters being found on site, the terms of this licence, and what to do if otter are  |                             |

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|   | found at any time.   |
| 3   | This licence does not permit damage or destruction or obstruction of access to any otter shelter.  |
| 4   | If evidence of breeding or young is found within 200m of the development site at any time, no further works must be carried out until all cubs can be shown to be sufficiently mobile to make use of alternative holts, unless agreed by an SNH licensing officer. (The SNH website provides more guidance under Otters and Development - <a href="#">Click Here</a> ).  |
| 5   | Protection zones as defined in the licence application and supporting documents listed in the project details of this licence, must be clearly marked out on the ground prior to any works commencing on site.   |
| 6   | All vegetation clearance and/or tree felling works within protection zones must be carried out by hand (including the use of chainsaws and hand-held power tools), or if harvesting machines are being used they must be operated from outside protection zones. All trees must be felled away from holt entrances, and all timber must be lifted out, processed and stacked, outwith protection zones.  |
| 7   | The licence holder may employ agents or assistants to work under the terms of this licence.  |
| 8   | While engaged in work authorised by this licence, the licence holder and agents must be able to produce a copy of this licence to any Police Officer, authorised person, or official of SNH on demand.   |
| 9   | The licence holder must provide SNH licensing team with annual licence returns due one year from the start date of the licence and detailing any action carried out under this licence. The final return must be submitted within one month of the expiry of this licence. Please send this information by email (including your licence number in the subject line of the email) to: <a href="mailto:licensing@snh.gov.uk">licensing@snh.gov.uk</a> . using the form found here: <a href="#">Click Here</a> . |
| <b>Notes</b>  |  |
| Licence holders or any other persons covered by this licence should note the following; |  |
| 1   | This licence is granted subject to compliance with the conditions as specified. Anything done otherwise than in accordance with the terms of the licence may constitute an offence.  |
| 2   | Agents may work independently of the licence holder. It is the responsibility of the licence holder to ensure that agents have the appropriate training and experience and that they understand the terms and conditions of this licence.  |
| 3   | Assistants must work under the personal supervision of the licence holder or agents. The number of assistants that can be appropriately supervised is at the discretion of the licence holder or agent.  |
| 4   | Nothing in this licence shall confer any right of entry on to land or property.  |
| 5   | This licence may be modified or revoked at any time by SNH.  |

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| 6 | This licence only exempts any legal provision contained in the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). |
|---|--|

This licence is granted subject to compliance with the terms and conditions specified

Licence no:118944

Authorised on behalf of Scottish Natural Heritage by: [Redacted] Date: 10-APR-2018

Licence no:118944


Annex 1: Permitted activities

| Action  | Purpose   | Species | Location   | Grid Reference | Method |
|---------|---|---------|--|----------------|--------|
| Disturb | Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment. | Otter   | North West Scotland in areas covered by the North West Unit of BEAR Scotland | -              | N/A    |

This licence is granted subject to compliance with the terms and conditions specified

Licence no:118944

Authorised on behalf of Scottish Natural Heritage by: [Redacted] Date: 10-APR-2018


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## APPENDIX C: OTTER SPECIES PROTECTION PLAN

|   |  |   |
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|  | <p>Transport Scotland<br/>North West Unit</p> <p>Otter Species Protection Plan</p> |  |
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### BEAR Scotland NW Trunk Roads Operations and Otters: An Otter Species Protection Plan



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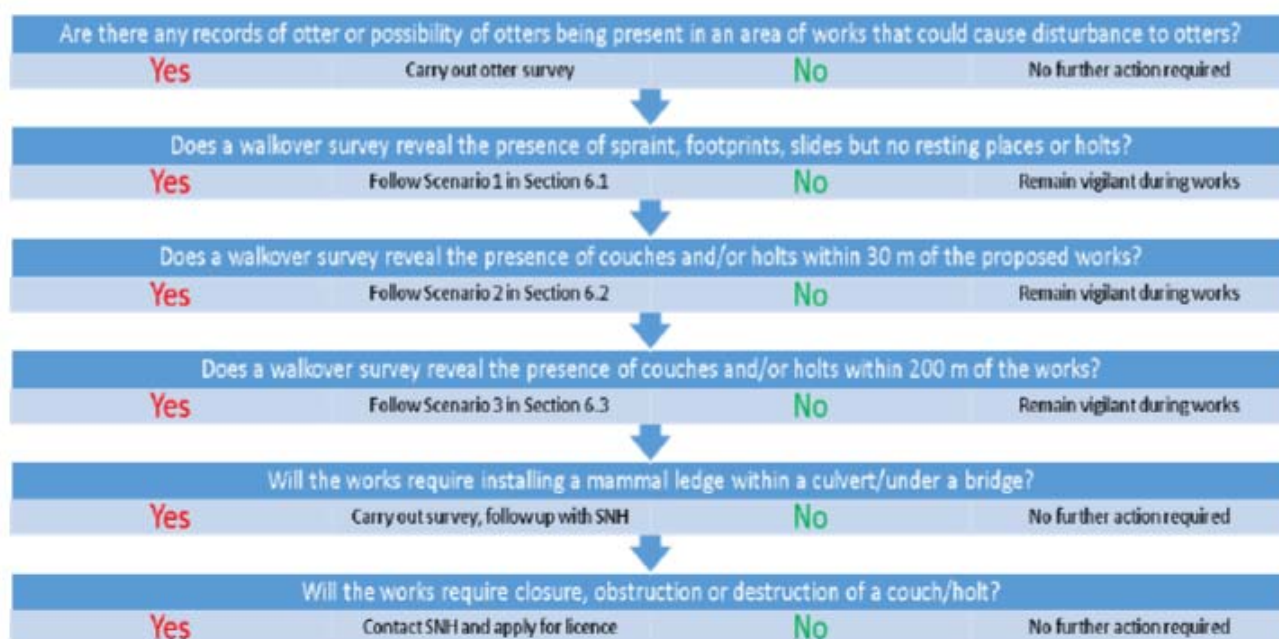
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### Flow Diagram Showing Decision Process



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## 1 Introduction

This species protection plan has been prepared by BEAR Scotland and SNH. It is intended to support an application for an organisational otter licence to cover those trunk road operations which have the potential to affect Eurasian otter (*Lutra lutra*).

### 1.1 Otters in Scotland

Scotland has an internationally important population of otters and they are also listed on the Scottish Biodiversity List as a species of importance for the purpose of conservation of biodiversity in Scotland<sup>1</sup>.

Almost any watercourse or water body is likely to be used by otters at some point in time. The Scottish population makes use of two distinct types of habitat: freshwater habitats, including lochs and rivers, and coastal habitats mainly along the west and north coast of Scotland and the Western Isles and Shetland. There is considerable variation amongst populations in both habitat types and like any animal, otters change their range and habitat use in response to changing environmental conditions.

In the freshwater environment, otters are largely nocturnal and occur at very low population densities. For a female, the typical home range is around 20 km of river, stream and loch-shore with males covering up to 39 km (Kruuk, 2006). The sexes tend to live apart for most of the time but in both types of environment, the otter is territorial and ranges may overlap, especially those of females (SNH, Kruuk, 2006).

A high proportion of the Scottish otter population, 50% or more, are coastal-dwelling. This has often led to them being incorrectly referred to as 'sea otters', a North American species of otter. They are exactly the same species as those found further inland, but take advantage of the productive coastal waters to feed on bottom-dwelling fish and crustaceans (SNH). The productive waters are also key to allowing a higher density of otters to be sustained. Coastal otters are more active during daylight hours than their freshwater counterparts. Home ranges also tend to be smaller in the coastal environment often being as small as 4 to 5 km of coastline. As in the freshwater environment, sexes tend to live apart but male territories can overlap those of several females in coastal areas.


### 1.2 Otters and the Law

The otter is a European protected species, listed in Annexes II and IV of the EC Habitats Directive. It is fully protected in the UK under the Conservation (Natural Habitats, &c.) Regulations 1994, as amended. Where otters are qualifying features of a Special Area of Conservation, designated under the EC Habitats Directive, their habitats are also protected. They are also legally protected under Appendix II of the Bern Convention 1979.

In summary, under this legislation, it is illegal to:

- Deliberately or recklessly capture, kill or injure otters;

<sup>1</sup> The UK Biodiversity Action Plan was succeeded by the UK Post-2010 Biodiversity Framework in July 2012.

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- Deliberately or recklessly harass or, in certain circumstances, disturb otters;
- Damage or destroy a breeding site or resting place for otters.

A person is not guilty of the above offences if they are carried out in accordance with a derogation licence, which can only be issued under strict conditions.

### 1.3 BEAR Scotland

BEAR Scotland Ltd. is appointed as the Agent to Transport Scotland for the Term Contract for Management and Maintenance of the Scottish Trunk Road Network for the North West Unit. The North West 4G contract between BEAR Scotland and Transport Scotland commenced in April 2013 and currently extends to 2020. The vast majority of maintenance operations and construction undertaken by BEAR Scotland falls under Permitted Development under the Roads (Scotland) Act 1984.

Under the contract, BEAR Scotland are responsible for:

- Planned maintenance/design (e.g. resurfacing, earthworks, traffic signs, safety barriers, bridge maintenance and replacements);
- Network management (e.g. community and local authority liaison, 24/7 365 days/year control room);
- Emergency and incident response (e.g. specially trained operatives available 24/7, remove hazards from carriageway, reduce congestion caused by incidents);
- Routine and cyclic operations (e.g. gully cleaning and drainage repairs, grass cutting and weed spraying, inspection);
- Winter service (e.g. salting of trunk roads, snow ploughs).

## 2 Context

BEAR Scotland is a regular holder of otter derogation licences, with more than 20 applications granted in 2016. SNH Species Licensing have agreed with BEAR Scotland that a more appropriate approach would be to secure an otter derogation licence that covers activities on the NW Unit.

### 2.1 What the organisational licence will cover


This licence will cover all works on the BEAR Scotland North West Unit that are likely to:

- Disturb otters whilst they are using resting/breeding sites.

The licence will not cover the obstruction or destruction of otter resting places, holts or natal holts. Where obstruction or destruction of otter resting places is required, SNH will be consulted and a separate derogation licence will be applied for.

### 2.2 Trunk road operations that may disturb otters or resting sites

Various trunk road operations have the potential to disturb otters using breeding/resting sites along the NW network. Disturbance of otter resting places or breeding sites is the most frequent risk to be considered by the BEAR Scotland Environment Team. These structures are still protected even when otters are not present.

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The main types of trunk road operations that may disturb otters using resting/breeding sites are listed as follows (not exhaustive):

- Road resurfacing;
- Installation of vehicle restraint systems and barriers;
- Repair of carriageway defects, including retaining walls;
- Road drainage repairs;
- Bridge/culvert replacement;
- Bridge/culvert scour repairs;
- Bridge expansion joint replacement;
- Bridge parapet replacement.

### 3 Environment Team Capabilities and Survey Licences


The NW BEAR Scotland Environment Team have qualified and appropriately licensed ecologists who carry out otter surveys, as well as agents named on specific survey licences who are allowed to work independently. They are:

| Staff member | Qualifications | Survey licence number |
|--------------|----------------|-----------------------|
|--------------|----------------|-----------------------|

[Redacted]

This list of licensed members of staff will be subject to change over time. The list is correct as of April 4<sup>th</sup> 2018.



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## 4 Survey and Site Assessment

### 4.1 Desk-based Assessment

Before any trunk road project can go ahead, an Environmental Assessment Request detailing the proposed works is submitted to the Environment Team by the BEAR Scotland Design Engineer. This is then subject to a screening process, including a desk-based assessment. Based on information gained from this assessment, the Environment Team determine carry out surveys to establish whether otters are present in habitat surrounding the proposed working area. This is necessary to assess the potential impacts of the proposed works on the otter population in the area and to develop mitigation measures.

Where the proposed works are within, or have connectivity with, a Special Area of Conservation where otters are a qualifying feature of the site, the Environment Team will consult SNH.

### 4.2 Survey Methods

Field surveys are undertaken by experienced ecologists based on methodology contained in Volume 10, Section 4 of the Design Manual for Roads and Bridges (DMRB) and in 'Monitoring the Otter *Lutra lutra*' (Chanin, 2003). Surveys involve searching a minimum of 200 m beyond the working area for signs of otter, including the presence of holts, lying-up sites or couches, spraint and footprints. The locations of all otter signs found within the study area are recorded using a hand-held GPS.

Where possible, surveys are not undertaken during or following periods of heavy rainfall.

### 4.3 Survey Results

Signs normally encountered in the field on the North West trunk road network, include:

- Field signs, including spraint, footprints and feeding remains;
- Otter slides;
- Sightings;
- Couches (un-covered resting places above ground);
- Non-breeding holts (underground resting places with at least one chamber);
- Natal holts.


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Figure 4.1 Spraint on rock near Onich



Figure 4.2 Otter footprints in wet sand



Figure 4.3 Active otter couch/holt near Skye Bridge

If a holt is identified, a wildlife camera may be set-up by a licensed otter surveyor to monitor use of the holt. Suspected natal holts will also be monitored using a wildlife camera to determine usage. If evidence of breeding or young is found within 200 m of the construction site, SNH will be consulted prior to any works being carried out.


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Figure 4.4 Otter leaving holt on Skye, camera trapped under licence 62278

## 5 Evaluating Impacts on Otters

The main potential impact on the otter population in the vicinity of works will arise from the visual and noise disturbance due to increased human activity and the presence of machinery and vehicles. Generally, the affected resting places are adjacent to the trunk roads which have a high level of disturbance and background noise all year round. Therefore it is likely that the level of impact will be less than that which would occur at an isolated site.


Any pollution from, for example, silt, fuel or oil could have an impact on water quality, potentially having an effect on otters and their prey.

Resting places will not be damaged or obstructed by the works, however, otters making use of these areas may be disturbed as a result of construction. With mitigation in place, the level of impact arising from these works will be reduced and it is considered unlikely that a significant effect at a national or international level will occur.

## 6 Management Approaches

In relation to otters and trunk road operations, there are a number of different scenarios that are commonly encountered during maintenance works across the NW network. They range from finding signs (i.e. spraint and footprints) to actual sightings of otters. The appropriate management approach must be identified for each type of scenario. These scenarios are set out in the following section, along with mitigation measures to minimise the risk to otters in each case.



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#### **6.1 Scenario 1: Spraint, footprints and/or feeding remains identified but no resting places/holts found**

- 'Working with Otters' Toolbox Talk to be provided to all site personnel prior to commencement of construction. This will be included in a Site Environmental Management Plan to be kept on site;
- The work area will be checked at the start of each shift for the presence of resting otters. In addition, before being used, machinery will be checked at the start of each shift for the presence of resting otters;
- Should otters or fresh signs of otters be discovered during works, work will be immediately stopped in the vicinity and the supervisor informed. Advice will be sought from the BEAR Scotland Environment Team;
- Pollution prevention measures will be strictly enforced on site and the Scottish Environment Protection Agency (SEPA) Pollution Prevention Guidelines (PPGs), and Guidance for Pollution Prevention (GPPs) in particular GPP 5 "Works and maintenance in or near water" will be strictly adhered to;
- Suitable emergency spill kit(s) will be provided on site, staff trained in their use and a contingency plan will be put in place to deal with environmental incidents;
- Refuelling and material storage areas, where required, must be fully bunded and secure and be located, if space is available, at least 10 m from watercourses, lochs, canals and drainage entry points, in order to comply with SEPA GPP 5 and minimise pollution risk;
- No wash water (or any other substance) to be discharged into watercourses, lochs, canals, transitional waters, coastal waters or road drainage system;
- Any excavations created will be covered over at the end of each shift and following completion of the works to avoid otters falling into them and becoming trapped;
- Any entrances to pipes/drains that are in the process of being constructed will be suitably protected to prevent otter access;
- All waste will be removed from site either for re-use, recycling or disposal in accordance with waste management regulations.

#### **6.2 Scenario 2: Couches and/or holts identified within 30 m of the works**

In addition to the measures in 6.1, the following mitigation will be adhered to where resting places and/or holts are found within 30 m of the works:


- Black infra-red camera trapping will be carried out under licence to determine the status of the holt i.e. if non-breeding or breeding. The use of infra-red minimises disturbance to otters;
- If a breeding holt is identified, SNH will be consulted as soon as practicably possible for further advice on how to proceed;

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- No works will be carried out until the status of the holt has been established and it has been determined that all young, if present, are independently able to move to another holt;
- All conditions/advice given by Species Licensing will be complied with during the course of the works;
- If the structure is found to be used for non-breeding purposes, all conditions of the organisational otter licence will be complied with during the course of the works and a copy of the licence will be kept on site for inspection at any time;
- The site supervisor will brief all persons on site as part of the induction process to ensure that everyone is aware of the presence of otter, the mitigation measures, their legal obligations and the licensing conditions imposed on them;
- Where work on bridges is required, the thoroughfare for otters passing underneath the bridge will be maintained at all times;
- An exclusion zone will be marked out around the shelter prior to work commencing consisting of orange semi-rigid barrier fencing or high visibility tape. This will be 30m where possible but if the works are closer than this distance, the exclusion zone will be as near as possible to a minimum of 30 m. The fencing will be fixed in place allowing for as large a buffer as possible between the works and the resting places. This 'red zone' will be clearly marked as out of bounds to personnel throughout the course of the works and will be removed on completion of the works;
- A copy of the Site Environmental Management Plan, detailing mitigation measures required will be kept on site;
- Works will be carried out mainly during daylight hours but there may be cases where night-time working is required due to safety reasons;
- If night-time working is required, any lighting required will be directed away from water bodies and resting places as far as reasonably practicable;
- In such cases, works may be carried out under the direct supervision of an experienced ecologist if necessary;
- Staff to remain vigilant for sightings of otter during the course of the works;
- If otter are encountered during night-time working, works will cease in the immediate vicinity until the Environment Team can give advice;
- If the works are expected to take place over a prolonged period of time, repeat otter surveys will be carried out every 3 months.

### **6.3 Scenario 3: Couches/holts identified within 200 m of the works**

In addition to the measures in 6.1, the following measures will be adhered to where resting places and/or holts are found within 200 m but more than 30 m from the works:

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- Black infra-red camera trapping will be carried out under licence to determine the status of the holt i.e. if non-breeding or breeding. The use of infra-red minimises disturbance to otters;
- If a breeding holt is identified, SNH will be consulted as soon as practicably possible for further advice on how to proceed;
- No works will be carried out until the status of the holt has been established and it has been determined that all young, if present, are independently able to move to another holt;
- All conditions/advice given by Species Licensing will be complied with during the course of the works;
- A copy of the Site Environmental Management Plan, detailing mitigation measures required will be kept on site;
- Works will be carried out mainly during daylight hours but there may be cases where night-time working is required due to safety reasons;
- If night-time working is required, any lighting required will be directed away from water bodies and resting places as far as reasonably practicable;
- In such cases, works may be carried out under the direct supervision of an experienced ecologist if necessary;
- Staff to remain vigilant for sightings of otter during the course of the works;
- If otter are encountered during night-time working, works will cease in the immediate vicinity until the Environment Team can give advice;
- If the works are expected to take place over a prolonged period of time, repeat otter surveys will be carried out every 3 months.


## 7 General enhancement measures for otters

Roads can pose a particular problem for otters and can lead to significant numbers of casualties and mortalities. Road deaths are more likely when rivers are in spate and instead of being able to safely follow the watercourse through culverts or under bridges, otters cross over roads. BEAR Scotland collect data on otter road deaths to identify hotspots where further measures could prevent/reduce road mortalities. There are a couple of simple measures that BEAR Scotland use to do this.

Mammal ledges have also been installed at culverts and bridges where otter deaths had been previously recorded and where it was possible to do so. Where possible, these ledges should be fitted in conjunction with a dry otter tunnel so that otters have safe access across the road when watercourses are in spate.

Before these measures can be installed, the BEAR Scotland Environment Team carry out thorough otter surveys and in the case of installing mammal ledges at culverts, liaise with SEPA regarding Controlled Activities Regulations (CAR) requirements. Installation of mammal ledges is usually classed as an environmental service under CAR.



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These activities may be covered under the organisational otter licence but if the main scope of works do not fall within the scenarios in section 6, SNH will be consulted for advice before any works are carried out.

## 8 What the licence will not cover

The organisational licence will only cover the scenarios set out in section 6. The licence will not cover incidences where:


- Couches/holts are obstructed;
- Couches/resting places need to be closed to enable works to go ahead;
- A holt needs to be destroyed to enable works to go ahead.

In these exceptional cases, SNH Species Licensing will be contacted and an application for a specific otter derogation licence will be made.

The organisational licence will only cover activities and operations on the NW Unit. It does not extend to the BEAR Scotland North East Unit.

## 9 Annual licence returns

Annual licence returns for the NW Unit will be made to SNH as a condition of the organisational otter licence. The submission date will be agreed with SNH.

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## Appendix D: BEING A GOOD NEIGHBOUR TOOLBOX TALK

REF No: TTN - 42  
Revision 1  
Revision Date: 18/04/13

# TOOLBOX TALK

## Being A Good Neighbour



### OVERVIEW

- This Toolbox Talk is generic for anyone who may be working in the vicinity of members of the public.
- This Toolbox Talk is designed to explain how you can reduce the impact on the local community when works are in progress.

Many in the local community will regard the start of construction work in their neighbourhood with great concern.

The public are often afraid that construction work will bring noise, dust, road closures, increased heavy road traffic and disruption to normal life.


Being a good neighbour means all those involved in a construction project acting with consideration for all those who live and work in the area surrounding the construction site to minimise their inconvenience.

### Why is it important?

- **Public image** - Being a good neighbour creates a positive image of the industry
- **Avoid programme delays** - If neighbours complain to their Local Authorities about dust or noise nuisance caused, the Local Authority can impose conditions and restrictions on working, which can lead to delays.
- **Avoid prosecution** - If any problems being caused by dust or noise are not satisfactorily resolved the Local Authority can prosecute those responsible.
- **Reduce costs** - If good relations can be established with neighbours, many issues such as access to site, material deliveries and working hours can be improved through friendly negotiation.

**Because Everyone Accepts Responsibility**



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## TOOLBOX TALK

### Being A Good Neighbour



#### DO


- Be polite and considerate to members of the public at all times
- Take accurate notice of any complaint made by a neighbour and pass it on to your line manager
- Only use approved routes to access the site
- Use only designated parking areas, if they are provided, otherwise always park vehicles with consideration for the needs of others
- Keep dust and noise to a minimum
- Always close any noise reducing engine covers while plant is in use
- Direct site lighting and task lighting away from neighbouring properties
- Tell your line manager if rubbish bins or skips are full or nearly full
- Notify your line manager immediately if you find any fly tipped waste in the area



#### DON'T

- Don't obstruct vehicle accesses or driveways to neighbouring properties
- Don't obstruct public rights of way such as pavements, footpaths, bridleways
- Don't drag mud onto the roads outside the site - make sure vehicle wheels are clean before leaving
- Don't trespass on neighbours land
- Don't leave engines running unnecessarily
- Don't shout on site or have noisy radios on
- Don't shout or whistle at passers-by
- Don't drop litter or leave sites untidy
- Don't leave gates to the site open.

**Because Everyone Accepts Responsibility**

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## **TOOLBOX TALK** **Being A Good Neighbour**



### Validation of Toolbox Talk

After staff has received the toolbox talk information, the following questions should be asked to ensure that they have listened and understood the necessary information.

The questions can be asked to a group or an individual. If the incorrect answer is given the trainer should reprise the relevant section.

Q1. Why is it important to only work during the agreed working hours?

Q2. What items of plant are likely to cause noise whilst on site?

Q3. How can we inform the local community of works being carried out?

Q4. What is the procedure if a complaint is received?

**Upon completion of this toolbox talk, all attendees should sign the section below.**

| NAME (PRINT) | Signature | NAME (PRINT) | Signature |
|--------------|-----------|--------------|-----------|
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|                 |              |             |              |
|-----------------|--------------|-------------|--------------|
| <b>Trainer:</b> | (Print Name) | (Signature) | <b>Date:</b> |
|-----------------|--------------|-------------|--------------|

**B**ecause **E**veryone **A**cccepts **R**esponsibility