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If telephoning ask for:
Mr A J Rosie

18 December 2015

Ms Michelle Rennie
Director of Major Transport Infrastructure Projects
Transport Scotland
Buchanan house
58 Port Dundas Road
Glasgow
G4 0HF

Dear Ms Rennie

ABERDEEN WESTERN PERIPHERAL ROUTE CONSTRUCTION: IMPACT ON THE ENVIRONMENT

I greatly valued our discussion earlier today regarding the above.

As explained, SEPA has become increasingly concerned about the way this project has developed, the standard of environmental management and engineering practice has fallen well short of what we would expect for such an important infrastructure project.

Despite SEPA's involvement at an early stage of planning, our advice appears largely to have been ignored and significant environmental problems have resulted, with a risk of further severe impacts if matters are not addressed by the Construction Joint Venture (CJV) as a matter of some urgency.

As our efforts in influencing change through negotiation with the parties involved have largely failed to achieve an acceptable standard of environmental management, and SEPA has had no choice but to resort to enforcement action.

A first Enforcement Notice was served today Friday 18th December under the Water Environment (Controlled Activities)(Scotland) Regulations 2011 (CAR) on Aberdeen Roads Ltd. I think it likely that more notices will follow, and SEPA is also looking into the possibility that certain activities may need to be reported to the Procurator Fiscal Service in due course.

The main focus of our concern relates to:

- The scale of the area of de-stabilised ground, and the length of time silt erosion is likely to prevail as top-soil was stripped off the entire site early in the project, against our advice.
- The impact of soil erosion on the River Dee special area of conservation (SAC), including risks to freshwater pearl mussels and salmonid fish.
- The lack of pollution prevention infrastructure planned into the project; attempts at alleviation have been retrospective, coming only after significant problems occurred, much of what we've seen so far has been ineffective, engineering practice is not impressive, land available for these facilities has been inadequate.
- Impact on downstream water users, for example an industrial abstraction (papermill) who rely on a high quality sediment-free water abstraction to undertake their business.



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In addition, while not the main focus of SEPA's concerns, it was clear to me that the community liaison arrangements are inadequate to deal with residents' concerns over impacts on watercourses, land-drainage and property, and health and well-being of affected residents. Examples I came across when visiting the site involved anxiety and concern about the impact on their private water supplies, the clogging of land drainage with silt and damage to crops from water-logging. The residents I met were furious and felt abuse; according to them, liaison arrangements are designed more to keep them at arm's length than to problem-solve and address (what appear to be) legitimate concerns. Residents I met felt that the only way they were likely to get re-dress was to resort to litigation.

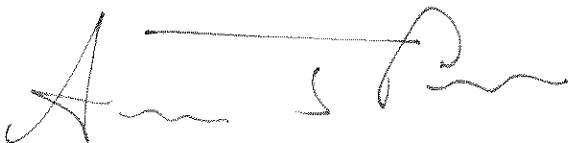
To this end I'd like to broker a meeting with senior project executives, including a Transport Scotland representative, and the local residents whom I met on site. They have specific problems they would like to see addressed, and I think it would be useful to use these as examples to re-align the community liaison arrangements that might help the wider community, so problems can be logged early, remedial measures actioned rapidly where possible, with escalation routes clearly established to deal with cases where there is a failure to agree, so the sorts of frustration I witnessed do not grow and "boil over" into expensive, and perhaps needless litigation.

Impact on water resources abstracted for potable supplies is a matter of concern to SEPA, (one we share with the Local Environmental Health Authority). This is an area that would really benefit from a significant change in approach, quick and sensitive problem-solving is likely to be a much more effective solution than possibly years of expensive litigation.

Returning again to the main concerns of environmental impact, I'm keen that Transport Scotland and SEPA are aligned on this, and I welcome your willingness to work together. Any influence you can bring to bear on the Project Management will I think help to improve the situation on the ground to the benefit of all parties.

With this in mind, I look forward to meeting you with our respective CEOs, if possible early in 2016.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew J Rosie', with a long horizontal line extending from the top of the 'A' across the middle of the signature.

Andrew J Rosie
Head of Operations: North