

Submission No.			312		
Organisation Name or Name of Submitter			Waterways Ireland		
Item No.	Section Ref.	Page No.	Observation Statement	TII Response	
Ref: Metrolink Railway Order 2022, 24 <sup>th</sup> November 2022					
1	Letter	1	Waterways Ireland owns and maintains the Royal Canal and its towpaths which cross the Metrolink proposal at the Phibsboro area as shown in the Railway Order application. Appropriate short term licensing and longer term property arrangements will be necessary to put in place. It should be noted that Waterways Ireland is a North South Body and as such any property disposals first require Departmental and North South Ministerial Council approvals. All proposed changes should account for the legal protections and the overall concept of the canal as a heritage structure.	Appropriate short term licensing and longer term property arrangements will be in place as necessary via an MoU in advance of the commencement of works. TII is aware of the requirement to notify the North South Ministerial Council of TII's Intention to acquire the lands concerned and are taking step to ensure the necessary approvals are in place.  All proposals will have regard to the concept of the canal as a Heritage Structure.	
2	Letter	1	The Royal Canal has a proposed designation as a Natural Heritage Area from the Wildlife Act and all proposals must address requirements from this. Canal water quality is measured against the Water Framework Directive standards and is to a very high standard, so no new stormwater discharges are permitted to its waterbody. The canal is an important habitat and all legal environmental procedures must be followed to ensure protection of its flora and fauna, in particular otters and other protected species, both at construction stage and in the permanent works.	<p>EIAR Chapter 18, Hydrology, section 18.4.3.4.3 describes the Royal Canal in terms of its designation as a proposed Natural Heritage Area (pNHA) and acknowledges the requirement for the canal to achieve good "ecological potential". Based on this information, Table 18.15 of the same chapter has identified that the Royal Canal is considered of "very high importance" in this assessment. Construction of Glasnevin Station will temporarily effect the Royal Canal, with a working area to be created in the canal basin. A summary of the proposed mitigation measures associated with the Royal Canal works is provided in the the EIAR Chapter 31, Summaries of the Route Wide Mitigation &amp; Monitoring Proposed, see tables: 31.10 - Biodiversity B3, B14 31.16 - Land take LT5 31.17 - Infrastructure &amp; Utilities - IU4 31.20 - Archaeology &amp; Cultural Heritage, CH73</p> <p>More widely, mitigation measures will minimise impacts on the Royal Canal. The contractor will be required to operate in compliance with a project-specific detailed Construction Environmental Management Plan (CEMP), and all construction sites will be installed with water treatment systems and will be monitored weekly to ensure no impact to the surrounding hydrological environment. With mitigation in place, the residual impact on the Royal Canal will be Imperceptible to Not Significant. TII confirm that there will be no stormwater discharges to the Royal Canal during either the construction or operational phase.</p> <p>EIAR Chapter 15, Biodiversity provides details of the mitigation measures that will be implemented during construction and operation to minimise habitat loss, reduce the potential for impacts on vegetation, reduce the potential for impacts to water quality in receiving watercourses, protect groundwater quantity and quality, and to control and prevent the spread of non native invasive plant species. As otters are listed on Annex II and Annex IV of the EU Habitats Directive they are strictly protected under the Birds and Habitats Regulations. Based on the findings of the field surveys carried out, as there were no otter breeding or resting places, holt or couch sites present within the footprint of the proposed Project boundary, there will not be any loss of holt or couch sites as a result of construction works. As otters could potentially establish new holt or couch sites within the zone of influence of the proposed Project in the future, a pre-construction check of all suitable otter habitats will be required and carried out within 12 months of any construction works commencing. The presence of any new holt/couch sites will be managed in accordance with the Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes.</p>	

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3	Letter	1	<p>The Royal Canal is an important heritage asset in its entirety and there are also various locks, bridges and sections of canal channel that are listed on the Record of Protected Structures and have Associated protections through Planning legislation. All proposed changes should account for the legal protections and the overall concept of the canal as a heritage structure. Any proposed changes within the canal environs will also require further landscape character assessment.</p>	<p>TII are fully cognisant of the heritage value of the canal and its associated bridges, locks, lock gates etc. EIAR Chapter 26, Architectural Heritage details the mitigation that will be implemented where there are predicted effects on architectural heritage [ALG/MT: suggest specifying where that mitigation applies directly to the Royal Canal and the relevant sections of the EIAR Chapter]. A MetroLink Project Conservation Architect (PCA) has been engaged to oversee the implementation of the Project. With the assistance of Waterways Ireland the PCA has commenced undertaking Structural and Condition Surveys of heritage constraints within ownership of Waterways Ireland that will require removal to secure storage (followed by conservation and reinstatement) or protection in-situ. The PCA will also prepare draft specifications for these works in Consultation with Waterways Ireland and in accordance with Waterways Ireland Conservation and Heritage Guidelines. The PCA is also preparing a Conservation Strategy for Glasnevin Station works inclusive of the Royal Canal and this information will be shared and discussed with Waterways Ireland throughout the Railway Order and Construction phases. TII will also undertake archaeological test excavations and an underwater dive survey to further inform on the condition of the canal and all arising proposed works methodologies.</p> <p>A specialist Heritage sub-Contractor (inclusive of a suitably qualified architectural conservation specialist i.e. Conservation Engineer/Architect) will be appointed by the Mains Works Contractor to remove, store, conserve and reinstate impacted constraints as appropriate. The Mains Works Contractor's specialist will finalise all proposed specifications and works methodologies (at each appropriate phase of works and for each relevant activity) and submit to Waterways Ireland and the MetroLink PCA for review and direction. All works of dismantling, protection, transportation and reconstruction will be carried out by appropriately skilled and qualified craftspeople, under the supervision of the Main Works Contractor's Architectural Conservation Specialist.</p> <p>If following the draining of the canal basin the survey indicates that the canal walls are deemed to be susceptible to damage, the north wall will, in consultation with and direction from Waterways Ireland, be removed in whole or in part; this may extend to the entire wall of the canal basin or just the copings. Before removal or any other intervention the north and south walls shall be recorded by photography and a written description. At the appropriate stage of construction, the materials will be returned to site and the wall reconstructed.</p> <p>Any required conservation works to the south wall will be undertaken in situ to accommodate the necessary diversion of pedestrian/cycle way users from the northern tow path. Any damaged coursing exposed on draining of the canal will be made good,TII and the Main Works Contractor (supported by their relevant architectural conservation specialists) will consult with and take direction from Waterways Ireland on this issue. The form of the protection for the canal bed and repair/removal of canal walls is to be in accordance with method statements agreed with Waterways Ireland.</p> <p>Following the implementation of the above mitigation, the nature of any impact reduces to "not significant".</p> <p>The landscape character assessment for the works at the Royal Canal and Glasnevin Station is provided in EIAR Chapter 27, Landscape &amp; Visual, sections 27.4.2.19 and 27.5.4.19, Overall, the potential effects on the landscape during the Operational Phase are assessed to be significant and positive.</p>	

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4	Letter	1	The Royal Canal and its towpaths are working assets open to daily public use. This is both in terms of navigation for boat and other water-based recreational uses, and for the towpaths which are pedestrian & cycle recreational corridors. All of these activities require to be adequately accommodated and maintained, both throughout the works and in the permanent arrangements.	<p>EIAR Chapter 11, Population and Land Use details mitigation for severance during construction and operation of the proposed Project. It will be necessary to close the canal for a period during construction (see 'Duration of Canal Closure' below for further detail) of the proposed station at Glasnevin and to drain the canal basin temporarily to enable the northern side of the basin, with its towpath, to be separated from the canal by piling or by precast retaining units resting on the canal basin to allow for infilling the section between the temporary piling/precast units to provide a working platform for works to be carried out.</p> <p>During the works, the northern towpath will be closed to public access and an alternative access will be provided on the southern side of the canal which will also ensure there is no inadvertent impact on the proposed Royal Canal Way. This will be facilitated by the insertion of a cantilevered temporary pedestrian and cycle path along the southern tow path, and a temporary bridge over the canal, utilising the abutments of a former railway bridge adjacent to the sixth lock. The temporary bridge will accommodate pedestrians/cyclists, emergency vehicles and residential access to Coke Oven Cottages. Upon completion of the works in this area the canal basin will be drained again to facilitate the removal of the piling, following which the canal margin and towpaths will be reinstated and reopened to the public and the temporary bridge will be removed. These works will be carried out in consultation with Waterways Ireland.</p> <p>Alternative access arrangements (or diversions) will be put in place at the relevant locations and appropriate temporary signage will be put in place on roads, footpaths or cycleways that will be temporarily affected by the construction works. This signage will be monitored to ensure that it guides local residents, commercial activities and visitors to the temporary access arrangements put in place that will facilitate access to homes and businesses.</p> <p><u>Duration of Canal Closure</u> The canal will be closed to boating activity -when building and removing the Coke Ovens Cottages Bailey Bridge, during the partial infilling of the canal, and while rebuilding the northern canal wall and undertaking any remedial measures to the south wall and the base. The timing and duration of the canal closure will comprise of two closures, each of three months duration, with the timing to be agreed with Waterways Ireland.</p> <p>Closure 1 - will comprise closing and draining the canal prior to commencing main works to carry out condition surveys, undertake planned works to the northern wall and any other works identified by aforementioned surveys, and inspect and remediate, if required the old railway abutments and south wall.</p> <p>Closure 2 - will again comprise of closing and draining the canal on completion of the main works to reinstate the north wall, remove the temporary southern pedestrian cycleway and the bailey bridge, remove the temporary retaining wall and fill, rebuild the wall and base if required, remediate and reinstate any additional measures identified during the survey or works, and reinstate any modifications to balance beams or other Waterways Ireland assets.</p>	
5	Letter	1	The Royal Canal is also a water corridor and as such can carry flooding risks if water movement is not suitably managed. All works must consider and take measures to minimise or eliminate these risks.	<p>The proposed Glasnevin Station has been designed having regard to the flood risk assessment undertaken for this site, with sufficient capacity within the drainage system to accommodate predicted additional flow related to flood events. This has also been adjusted upwards to take account of climate change and the frequency and intensity of extreme rainfall, ref EIAR Appendix A18.5 Flood Risk Assessment, section 5.9. However, it should be noted that the Flood Risk Assessment undertaken for the project has not identified a potential for flood risk at this location arising from the canal. A review of historic data from The Office of Public Works (OPW, 2021) on-line mapping database <a href="http://www.floodinfo.ie">www.floodinfo.ie</a> was undertaken (May 2021) in order to obtain information on historical flooding events along and in the vicinity of the proposed metro route corridor and which has identified that no historic flooding has occurred here.</p> <p>Temporary measures for the diversion of water during the planned canal closures will be agreed with Waterways Ireland prior to the commencing of construction works. Calculations will determine if such temporary measures need to be continued throughout the construction phase to accommodate water flow arising from the partial infilling of the canal.</p>	
6	Letter	2	Waterways Ireland have met with Transport Infrastructure Ireland and their consultants as part of design development but all future property, operational, environmental and legal issues for construction stage will have to be addressed in advance of any works taking place on Waterways Ireland property.	TII are in consultation with Waterways Ireland on the understanding that a legal agreement will be put in place by the parties to address all remaining issues of concern relating to property transfer, operational concerns, construction and environment issues. Both parties are committed to having the agreement in place in advance of commencement of Station construction works	