

A Governance Solution for Galway's Waterways

Executive Summary

This paper proposes two possible organisational solutions to the challenges of managing Galway's waterways:

1. Re-establish the erstwhile Natural Environment and Waterways Committee of the City Council
2. Re-configure, re-form, and re-charter the Lough Corrib Navigation Trust to become the Lough Corrib Trust

The paper concludes that alternative 2 provides the best solution.

This conclusion is based on the list of facts, informed opinions, and personal perspectives that are provided; an interim summary of what these facts and opinions point to; a description of the advantages and disadvantages of each alternative solution; and a final recommendation.

Lastly a section has been added to suggest what the steps might be for implementing the preferred organisational option.

Facts, Informed Opinions, Personal Perspectives, and Recommendations

| | Facts | Implications& Explanations |
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| 1. | The EU and the Irish state advocate <i>integrated catchment management</i> | <p><i>Integrated Catchment Management</i> is the paradigm upon which the River Basin Management plans are built, as evidenced in the RBPM, 2018 -2021</p> <p>A Catchment is an integrated system. Actions on one part affect all other parts, e.g., agriculture, hydromorphology, effluents</p> <p>Lough Corrib, the River Corrib and all its tributaries and branches comprise our integrated catchment [technically the catchment extends to Loughs Carra and Mask. The Corrib</p> |

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| | | system is more correctly termed a sub-catchment] |
| 2. | A new River Basin Management Plan (RBMP) will be published in December 2022 | 2022 is an opportunity to consider how best to manage Galway's waterways |
| 3. | Authority over the Corrib <i>integrated_catchment</i> is spread across several state and local agencies – in the case of the Corrib, 3 local authorities, the Lough Corrib Navigation Trust (LCNT), the OPW, the EPA, the IFI, Teagasc, NPWS, Irish Water, LAWPRO and the regional committees under the RBMP. | No single entity has authority over the Corrib. Creating and executing an integrated plan is complex and requires substantial bureaucratic time and energy, but community and user involvement, while encouraged in the RBMP, is not explicitly provided for in the existing Corrib catchment |
| 4. | One arm of the Irish government is encouraging the formation of <i>River Trusts</i> in the Republic as a way of involving communities in <i>integrated catchment management</i> | <p>Rivers Trusts are voluntary, charitable, community groups that care for inland water courses.</p> <p>An Ireland director for the river trust movement is seconded from the Ballinderry River Trust in Northern Ireland and funded by the Irish government, to work with communities to establish river trusts.</p> <p>There are currently over 10 rivers trusts around the country at different stages of development</p> <p>Rivers Trusts, though representing users and communities, struggle for funding, recognition, and meaningful involvement in decision making</p> |
| 5. | At the same time, the RBMP has established 5 Regional Water Management Committees under the | There are no formal organisational connections |

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| | RBMP | <p>between Rivers Trusts and the RBMP regional water management committees in the current RBMP cycle</p> <p>(one exception is the Moy River Trust which contributes to the Water Forum)</p> |
| 6. | LAWPRO officers have been appointed by the government to promote <u>public and stakeholder involvement</u> in freshwater body management; also, to collect data on certain sensitive areas. | <p>LAWPRO acts as “connective tissue” that works between the RBMP committees, local authorities, river trusts, and the agencies to inform, advise, and contribute to freshwater management.</p> <p>LAWPRO will provide €360K grant funding in 2021 to rivers trusts and other community groups</p> |
| 7. | The sole remit of the Lough Corrib Navigation Trust (LCNT) is <u>navigation</u> . | <ul style="list-style-type: none"> • The Navigation Award 1859 • Lough Corrib Navigation Act 1945 <p>The LCNT has no responsibility for nature, amenity, sport, water health, fish, etc</p> |
| 8. | The LCNT has no responsibility for the River Corrib below the regulating weir, the Parkavera, St Clare, Gaol, Distillery, Slaughterhouse, Friar’s, Middle, and Terryland Rivers | <ul style="list-style-type: none"> • The Navigation Award 1859 • Lough Corrib Navigation Act 1945 |
| 9. | The navigation responsibility of the LCNT crosses through three local authorities and extends from the piers around Lough Corrib, through the navigation channel in the Corrib, into the River Corrib as far as the regulating weir, down the Eglinton Canal through Lock no. 2, into the Claddagh Basin, and into Galway Bay via Lock no. 1 | <p>Although this is the responsibility of the LCNT, navigation through this route is no longer possible because of:</p> <ul style="list-style-type: none"> • Low bridges • Broken locks • Having given up responsibility for key sections |

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| 10. | The LCNT has formally abandoned the navigation under the 5 bridges over the Eglinton Canal, and possibly the Claddagh Basin | S.I. 31, 1949; S.I. 332, 1958; S.I. 6, 1963. And re the Claddagh Basin S.I. 154, 1990 |
| 11. | The Minister of the OPW has the power to abandon the navigation or assign it to another drainage authority or local authority | Lough Corrib Navigation Act 1945 |
| 12. | In the past the LCNT operated a reed cutting machine and employed a caretaker who removed vegetation and trash from the Eglinton Canal | Extracted from the LCNT Minutes 1910 – 2020 Reeds impede water flow and often clog areas such as the Gaol River and the Menlo Pier. |
| 13. | Responsibility for the head and tail races on Galway's rivers and canals rests with the Miller's Trust | 1878 Corrib (Galway) River Act The trustees have not met since the 1940's |
| 14. | The Minister of the OPW may call a meeting of the Galway millers at any time to elect the miller's trustees | 1878 Corrib (Galway) River Act |
| 15. | 60%, or approximately €200K, of the budget of the LCNT comes from the Galway City Council | Lough Corrib Navigation Act 1945 |
| 16. | Users of Galway's rivers and canals have no regular representation on the LCNT, or any other body that oversees the waterways. | Lough Corrib Navigation Act 1945 |
| 17. | The local authority previously maintained a dedicated committee with broad stakeholder representation that was charged with waterways management. | The Natural Environment and Waterways Committee met from the early 2000s through the mid-2010s This meant that two committees were required to manage the city's waterways, i.e., this one and the LCNT |
| 18. | Several million-euro project funding is available from the EU for environmental governance, water health, waste management, education, and tourism projects that could be tapped for the Corrib Catchment. | EU LIFE, Interreg, Erasmus, Leader, and COSME funds |
| 19. | Galway's rivers and canals are not candidates to be managed by Inland Waterways Ireland because they | According to a spokesman for Inland Waterways |

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| are not navigable. Also, the legal responsibility of the LCNT prohibits IWI from involvement with the Corrib river and canals, | Ireland |
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| | Informed Opinion | Sources |
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| 1. | Structures set up under the RBMP 2018 -2021 encourage community participation, but have not yet effectively achieved meaningful stakeholder engagement | <p>River Basin Management Plan for Ireland 2018 – 2021 Executive Summary</p> <p>Users are encouraged to participate locally, but are not formally included in the RBMP structures, apart from An Foram_Uisce.</p> <p>LAWPRO acts as a go-between with Communities but is only partially integrated into RBMP_water management structures</p> <p>River Trusts facilitate stakeholder involvement but are not recognised as part of the “system”</p> |
| 2. | The number of high-status water bodies in Ireland has declined between the first and second RBMPs | River Basin Management Plan for Ireland 2018 – 2021 Executive Summary |
| 3. | Data gathered by the agencies and committees set up under the RBMP are not easily accessible or transparent | Draft EPA/IPA Research Paper, “Water Governance Case Studies”, O’Cinneide, Boyle, O’Riordan, 2021 |
| 4. | The LCNT voted three times in its history to consolidate management under one authority because spreading the responsibility did not make sense. | Lough Corrib Navigation Trust_minutes 28/08/67, 11/01/68, 09/09/96 |
| 5. | <p>There should be:</p> <ul style="list-style-type: none"> • a strategic plan for Galway’s waterways • stakeholder involvement • a single, full-time Waterways Manager • restored lock gates • an interpretive centre for the waterways • a once per year habitat inventory • improved paths, lighting, signage • focus on waterways improvements as part of a tourism strategy. | <p>The Natural Environment and Waterways Committee minutes, 2003 – 2011*</p> <p>*The Natural Environment and Waterways Committee was a sub-committee of the Local Authority, comprising Councillors, citizen reps, and reps from OPW, IFI,</p> |

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| | | and NPWS |
| 6. | <p>The future of Galway Waterways should include:</p> <ul style="list-style-type: none"> • Waterways under one authority. • Waterway's manager • A strategic plan for the whole system • Involvement of key stakeholders • Operations and decisions transparent; information shared • Clubs and communities shd participate in management, maintenance, decisions • Surveys and studies shd be done periodically: habitats, water quality, hydrology, banks, and beds • Navigation shd be restored. • Silt and rubble shd be removed and overhanging branches pruned. • Safer launching places and moorings shd be provided • Slalom course for kayaks and canoes shd be provided • More Walk- and cycle ways with sign-posted points of interest • Walk and cycle way over the railroad viaduct pillars • Fishing and angling interests respected • Mini hydroelectric examined. | Stakeholder workshops 2017 and 2018 conducted by the Galway Waterways Foundation |
| 7. | There is significant hydroelectric potential in the City Waterways system | <ul style="list-style-type: none"> • NUIG Study, 1985, • Enterprise Ireland, Galway Energy Cooperative, NUIG study 2021 |
| 8. | 70% of Galway's river users are dissatisfied with how Galway's waterways are managed | User survey, Galway Waterways Foundation, 2021 |
| 9. | Most Galway waterways users do not know what the LCNT is responsible for and do not know where to go to address waterways issues | User survey, Galway Waterways Foundation, 2021 |
| 10. | There is enormous potential of the waterways to provide facilities for recreation, heritage interpretation, visitor attractions, and urban amenities, both for tourists and citizens alike. | Brady, Shipman Martin & Jim Coady & Assoc, Galway Waterways Study, 1995/96 |

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| 11. | The variety of water in Galway city centre – the rushing river, still and reflective canals, historic mills, and locks, create a diversity of sights, sounds, smells, and textures which enrich the public realm; the canals and riverside walks are jewels... | Galway Public Realm Strategy, 2019 |
| 12. | There are several water-safety issues along the city's rivers and canals. Mechanisms for correlation of data and multi-authority approach need improvement. | Risk Assessment Report on Galway's Waterways, John Curley, 2016 |
| 13. | Any committee hoping to make significant progress in addressing local waterways' issue has to include key agencies such as the IFI, OPW, and NPWS | Based on conversations with: Seamus Hartigan - IFI Richard Dooley – OPW |

| | Personal Perspectives | Comments |
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| 1. | The non-integrated management of the Corrib catchment in general and the city's waterways in particular are problems requiring a solution | <p>The current paradigm for Management of the Corrib Catchment is not efficient or effective in terms of public participation or of improving Water quality.</p> <p>The RBMP paradigm is integrated catchment management, but responsibility and authority are currently spread across many national and local organisations</p> <p>There is no local body to negotiate and regulate river uses in Galway</p> <p>There is no single point of contact for information, action, regulation, and development of the Corrib Catchment</p> |
| 2. | It is challenging for the public to interact with the bodies such as the LCNT and the Local Authority functions in relation to river and canals issues. There does not appear to be time for meaningful engagement | The senior executives in the Council in general, the Environment section of the Local Authority, and the Environment and Climate |

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| | | Change SPC in particular have been overloaded with additional responsibilities, without additional resources |
| 3. | The SPC's, the Elected Council, and the LCNT do not meet often enough to deal with the waterway's issues | Repeated requests over several years for engagement have been delayed or rebuffed. The LCNT meeting only quarterly can take months and years to decide an issue – based on an in-depth study of the LCNT minutes from 1910 - 2020 |
| 4. | Insufficient arrangements are in place for beautifying the banks of the rivers and canals and keeping the beds free of trash. | Cleaning and beautifying seem to be based on ad hoc actions by individuals and neighbourhoods, as well as informal arrangements with the angling clubs. |
| 5. | Reeds clog several places in the Gaol River, the Eglinton Canal, and the Menlo pier. Reeds inhibit water flow and lead to the accumulation of silt | Observation & photographs |
| 6. | The legislative remit of the LCNT is limited to navigation which restricts its engagement with other possible areas of involvement, such as amenity, tourism, sports, heritage, etc. | Navigation is the sole legislative remit of the LCNT, but Navigation is no longer possible on the canal. Most of the city's waterways are not under the control of LCNT |
| 7. | In spite of its limited remit the continuing existence of the LCNT has generally been a force for good over the years in keeping the navigation channel open as well as protecting and preserving the canal and Claddagh Basin from improper development | |
| 8. | The 8 total public representatives from three local authorities on the LCNT, 5 of which are from Galway City, to manage a remit that cannot be fulfilled is a waste of resource | Most of the business of the LCNT concerns markers on the lake channel and the various piers around the Corrib. |
| 9. | The €200+K that the city allocates annually to the LCNT contributes, while a benefit to wider Corrib | See the point immediately above |

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| | users, is of mostly of indirect value to the city. | |
| 10. | The OPW is the ultimate owner of all of Galway's rivers and canals. | <p>All owned by the OPW according to: "Where the Corrib Flows" Maurice Semple, based on the 1848 Office of Public Works acquisition actions and 1848 McMahon report</p> <p>Disputed by the OPW which accepts drainage responsibility but no other responsibility</p> <p>Previous attempts made by the Natural Environment and Waterways Committee to determine ownership were unsuccessful</p> |
| 11. | A dedicated organisational focus on the waterways, with appropriate representation from key agencies and citizens would be a more effective way to foster participation and to best manage the rivers and Galway canals in the next River_Basin Plan cycle | <p>Based on the achievements of the Natural Environment and Waterways Committee achievements, which included:</p> <ul style="list-style-type: none"> • Renaming the rivers and placement of Plaques • Dredging of the Eastern conduit • Focus on tourism potential • Need for stakeholder involvement • Drive to create a strategic plan • Annual programme of works <p>Inclusion of community and user groups is in line with the RBMP strategy</p> <p>A dedicated organisational focus on the Corrib Catchment would provide the Regional Water Management Committee a single point of contact, action and accountability</p> |

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| 12. | More time, focus and resources must be dedicated to waterways management | Monthly meetings for policy; operational arm for actions |
| 13. | Reinstatement of the Miller's Trust has a renewed purpose in the realm of hydroelectric power generation. It should either be set up or its powers transferred to another body | Hydroelectric potential means there is a need for head and tail race management |
| 14. | A forum, committee, bureau, or other body is needed where different uses of the waterways can be negotiated and regulated | Galway City's waterways are intensively used by rowers, kayakers, power boaters, swimmers, sub aqua divers, stand-up boarders, and anglers. The consequence is danger and ill feeling between users. |
| 15. | The potential of the river and canal system in Galway City and Lough Corrib in the County in terms of amenity, tourism, recreation, and energy are underdeveloped and under exploited | See Informed Opinions, items 5, 8 and 10 |
| 16. | The Minister of the OPW has the powers to overhaul the management of Galway's rivers and canals | <ul style="list-style-type: none"> • The OPW owns the waterways • The 1945 Drainage Acts grant the Minister the power to re-assign navigation and drainage to another body • The 1878 Corrib River Act grants the Minister the authority to convene the Miller's Trust |
| 17. | In the context of the next RBMP, an innovative and creative solution is possible, within the bounds of current legislation, if the city and other key State bodies are willing to consider it, and enlist the involvement of The Minister and Commissioners of the OPW | Based on consultations with Political representatives and Water governance groups. |
| 18. | Knowledge of the history, evolution, importance, and potential of Galway's river and canal system among the City's elected officials (and possibly among some of its permanent officials) varies considerably. Some members are very well informed. Others less so. | Based on individual lobbying of elected officials, and lack of meaningful engagement with permanent officials. Although most Councillors |

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| | | seem interested in engaging with the waterways it has not yet translated into collective attention and action |
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What it adds up to

- The need for a single body, committee, or forum with legal status that,
- Is responsible, at a minimum, for all the rivers and canals on Galway City including the Eglinton Canal, the Claddagh Basin, and the Terryland River, but ideally is responsible for the whole integrated sub-catchment of Lough Corrib, its tributaries, and branches.
 - Is recognised as part of the legal and governmental set up in general and River Basin Management Plans specifically
 - Takes responsibility for water health but also navigation, water-safety, cleanliness, attractiveness, amenity, heritage, sports, energy, and which balances the conflicting requirements and pressures of waterways uses.
 - Acts as a single point of contact for the Regional Water Management Committee. Inputs into the Water Forum and carries out actions that arise from the management plan for this river basin.
 - Requires less time of the Local Authority but keeps the Local Authority involved in decision making and action
 - Includes representation of users and key agency stakeholders
 - Meets often
 - Has an operational arm which includes a full-time manager and/or has access to engineering and labour.
 - Is accessible to users and the community with a place for people to acquire information, make suggestions, get approval for specific activities, and register complaints.
 - Creates and implements a strategic plan
 - Makes grant applications and attracts funding.
 - Oversees a brief to optimise the societal, environmental, and economic potential of the catchment

Alternative solutions

Considering all the factors enumerated in the sections above, there are two feasible, alternative solutions for achieving better governance of Galway’s waterways. These two solutions are described below and the associated advantages and disadvantages of each are described. In the final section the best of the two solutions is presented.

**Option 1
Waterways Subcommittee of the SPC**

This solution is to re-establish a waterways committee under the Environment and Climate

Change SPC that works solely on river and canal management.

- Members of the committee would include one elected official, one city engineer, one representative from the LCNT, one representative each from the OPW, IFI, NPWS, LAWPRO, GCCN, and either one representative for all users or one each representative from the rowing, kayaking, boating and angling clubs.
- The committee meets monthly, is charged with creating a strategic plan for the waterways, recommends policy to the SPC and Council, regulates the competing interests of users, and requisitions works

| Advantages | Disadvantages |
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| <p>Provides dedicated governance of an important, valuable, risk bearing, and widely used city resource.</p> <p>Provides a focus for the development of a unique amenity, tourism attraction, and energy source</p> <p>Most closely emulates the Environment and Waterways Committee that met from the early 2000s to the 2010s, and which succeeded in making improvements. See: Facts, item 17, Informed Opinions, Item 11, and Personal Opinions, Item 10.</p> <p>All the key stakeholders, users, and agencies participate in decisions and recommendations. Though challenging to reach agreements, once made implementation can take place speedily.</p> | <p>Only focuses on a small part of an integrated system – effectiveness of water health measures is limited</p> <p>Creates an additional committee to consume time and resources</p> <p>Does not address the parallel existence of the LCNT</p> <p>Leaves a lack of clarity re jurisdictions and the regulation of users and uses</p> |

Option 2
 Reconfigure, re-form, and re-charter the Lough Corrib Navigation Trust to become the Lough Corrib Trust with responsibility for the whole Corrib sub-catchment, including the lake, and its rivers, tributaries, branches, and canals

This solution is to place the governance of the Corrib catchment, that is both city and county waterways, under one authority

- Expand the responsibility of the Trust beyond navigation to include water health, ecology, water safety, water use, regulation of sports and recreation activity, amenity and tourism development, energy creation, natural beauty, and wildlife
- Change the make-up of the Trust to involve less elected officials (but still leaving one each per city and the two counties) and more agency stakeholders and user representatives
- Provide one point of contact for the Regional RBMP Committee
- Be more open to citizen contact and involvement. Share information pro-actively
- Meets at least monthly
- Encourages community participation
- Is accessible, and open
- Is action and information oriented

| Advantages | Disadvantages |
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| <p>Implements true integrated catchment management – The first of its kind in the country and innovative in the context of the Water Framework Directive</p> <p>Enables a systems approach to waterways management in general and water health in particular</p> <p>Is in synchronisation with the Rivers Trust movement (but is more effective because it has official status and stakeholder involvement)</p> <p>Eliminates the redundancy of the LCNT while leaving it in place with an expanded charter. Avoids two committees doing the same thing and confusing the public.</p> <p>Saves the time of officials without sacrificing responsibility and oversight</p> <p>Has representation of all key stakeholders, agencies, and users</p> <p>Can be implemented in stages</p> <p>Can be implemented in large part between the Local Authority and the OPW without changing legislation. (Ultimately a legislative change would be advisable)</p> | <p>Requires buy-in from three local authorities - Galway City, County Galway, County Mayo</p> <p>Requires the initiative of the Local Authority, both executive and elected officials, to act in unison and to engage with the Minister of the OPW</p> <p>May dilute the argument for keeping the City and Country authorities separate</p> |

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| <p>Provides a recognised place for the public to get information, make proposals, register complaints, and to become involved in the upkeep of Galway's waterways</p> <p>Can be given a clear, unencumbered charter to care for, sustain, and develop a key natural and man-made resource</p> <p>Can focus on attracting EU, national, and local funding</p> | |
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Recommendation

At a minimum, the city should re-establish the Natural Environment and Waterways Committee that existed for several years and registered several achievements. There is a historical precedence for this committee and a track record that demonstrates its effectiveness. It would, however, have to meet more often than quarterly and would need to include users as well as agencies. It must address the need for a full-time manager or at least access to a resource that can be more responsive to the community and that can perform necessary maintenance and development works. It must examine the potential for hydroelectric energy generation on the canals and deal with the legacy of the Miller's Trust Act of 1878

However,

This is not the most innovative, effective, efficient, or economic solution

The best solution is to re-configure and re-charter the Lough Corrib Navigation Trust to become the Lough Corrib Trust as described in the above section. This solution will be more challenging to implement but can be accomplished within the limits of existing legislation. This solution eliminates unnecessary duplication and clarifies the confusion over who is responsible for what and which water body. It enables system solutions to the problems of water health and provides a sharp focus on the sustainability, maintenance, and sensitive development of the integrated catchment including the lake, the rivers, and the canals in the city.

Proposed Way Forward

- This is the proposed sequence of steps to implement the preferred solution of Option 2:
1. Meet with Local Authority executives to review the proposal and achieve preliminary buy-in
 2. Make a presentation to the elected Council and Directors of Services about the history, evolution, importance, condition, and potential of Galway's River and canal system. The aim is to move the Council to charter the SPC to come forward with a policy recommendation
 3. Meet with the Chairman of the LCNT to review the proposal
 4. Make a presentation to the Trustees of the LCNT about the proposal and the

background to it

5. Meet with the Environment and Climate Change SPC to propose and sanction a policy to be brought forward to the elected Council
6. Bring the proposed policy forward to a vote of the elected Council
7. Brief T.D.s as appropriate
8. Meet with the Minister of the OPW to request re-assignment of navigation and drainage responsibility and to convene a meeting of the Miller's Trust
9. Re-configure the membership of the LCNT to include user and agency members as proposed; also, to include the Chairman of the Miller's Trust
10. Ensure new organisational arrangements become part of the River Basin Management Plans from 2021 onwards.
11. Develop a strategic plan for the Corrib Catchment including the rivers and canals in Galway City
12. Pass legislation to recognise the new arrangements for managing the Corrib Catchment

Relevant Acts, Awards, and Plans:

1848 Corrib, Mask, Carra Drainage Scheme

1850 Lough Corrib Act

1856 Drainage (Ireland) Act

1859 Arbitration Navigation Award

1860 Award of the Commissioner of Public Works

1878 Corrib (Galway) River Act

1945 Arterial Drainage Act

1945 Lough Corrib Navigation Act

1954 Arterial Drainage Scheme

2001 Local Government Act

2018 – 2021 River Basin Management Plan for Ireland.