

APPENDIX B

Drainage Task Force 1994 Report

**FINAL REPORT
FROM THE
DRAINAGE BOARD TASK FORCE
TO THE
WATER RESOURCES STUDY COMMITTEE**

October 3, 1994

-INTRODUCTION-

Following legislative action regarding how state agencies were dealing with statutes governing county drainage projects, Senate Concurrent Resolution 38 was passed. The Water Resources Interim Study Committee was given the charge to "study and review matters concerning state and local drainage laws and regulations." The Study Committee established a Task Force made up of people with diverse interests ranging from county surveyors to environmentalists to regulatory agency personnel. A list of the members is contained in the appendices.

The Task Force began work by first developing a goal based upon the charge given by the Water Resources Study Committee. The goal was defined as:

"To review and recommend changes to Indiana's drainage laws and applicable rules and regulations in order to reconcile the above with other State and Federal laws; to determine economic and environmental impacts, identify potential alternative actions and improve efficiency of permitting decisions."

Although the accuracy of their assertions may be disputed, the following five top discussion priorities were identified which, if resolved, would lead to meeting the goal:

1. Indiana drainage law is not compatible with other state and federal laws.
2. Recommendations that become part of permits issued by state and federal agencies to county drainage boards are contrary to Indiana Code.
3. Timeliness of permitting is essential.
4. There is a lack of consideration of environmental concerns by some county drainage boards.
5. There are no funds in drainage laws to compensate landowners for environmental mitigation required in order to obtain permits for some drainage projects.

The Task Force offered potential solutions to the first priority. Twenty-two were generated. These are listed in the appendices. Recommendations for the Water Resources Study Committee were developed from these twenty-two solutions. Ultimately, because of time constraints, only the first priority was formally considered. However, in reviewing the many discussions which took place and the recommendations which came out of these discussions, it was felt by the Task Force that all of the top five priorities were addressed.

While the discussions of the Task Force were wide-ranging and covered many topics, they eventually evolved into a few central themes. Most of the recommendations prepared by the Task Force reflect these ideas, which are:

- a. Drain construction and maintenance can and should be done in an environmentally sound manner.
- b. A handbook which provides guidelines for environmentally sound drain maintenance and construction practices can be prepared which will benefit both Drainage Boards and the regulatory agencies.
- c. The permitting process at times is slow and burdensome. However, an increase in cooperation between the permittees and the regulatory agencies could speed up and smooth the process. This process of cooperation can be formalized in a Memorandum of Agreement.

From these central themes the Task Force has developed eight recommendations for consideration by the Water Resources Study Committee. The Task Force does not see the preparation of these recommendations as the end of this task. All of the recommendations will require an ongoing commitment over several years to insure their successful implementation. In addition to the recommendations, there were a few issues which were not resolved. These are explained along with the recommendations.

Finally, one of the most important accomplishments of the Task Force was to demonstrate that groups with diverse and often contrary interests are able to find some common ground for solutions to difficult problems. We trust that the Water Resources Committee will see fit to approve the recommendations prepared by the Task Force and take appropriate actions to insure that they are implemented in the future.

-RECOMMENDATIONS-

The recommendations developed by the Drainage Task Force are grouped into seven categories. Summaries of discussions regarding the categories and resulting recommendations are as follows:

I. MEMORANDUM OF AGREEMENT

EARLY COORDINATION. Many of the permit related-problems discussed by the Task Force could be attributed to misunderstandings either about permitting processes or responsibilities. The need for *early coordination* between permit applicants and permitting agencies, to allow all parties to fully understand and ward off potential problems, was repeatedly addressed by the group. Inherent to the issue of early coordination are the desire to 1) prevent projects from starting prior to being permitted, 2) identify projects not requiring permits, and 3) prevent misunderstandings that could result in disagreements between the parties. To fulfill early coordination needs, the permitting agencies must be provided sufficient resources to respond to applicants in a timely manner. Permit applicants must also recognize limitations of the agencies and allow for reasonable processing time for applications.

Recommendation #1

In order to assure necessary coordination between applicants and permitting agencies (to avoid misunderstandings about permitting actions) it is recommended that a memorandum of agreement (MOA) be developed between county drainage boards/surveyors, the Department of Environmental Management, the Department of Natural Resources, the U.S. Fish and Wildlife Service, and, if possible, the U.S. Army Corps of Engineers.

- A. The MOA would establish how permit decision-making could be expedited through consultations and on-site visits conducted prior to formal permit application. This would aid the parties in understanding the work proposed by the applicant, as well as the requirements of the permitting agencies.
- B. These actions would allow the agencies to provide assurances that permit applications submitted following such early coordination would be acted upon in an expeditious manner, within a defined "reasonable period of time".
- C. Permitting agencies would not be held unduly accountable for projects begun without necessary permits or by applicants wishing to begin work within an unreasonably short period of time.

- D. It is further recommended that the agencies involved should devise appropriate means of publicizing the availability and necessity of such early coordination services.
- E. In order to assure the success of the coordination process, the legislature should insure that adequate resources are available to the state permitting agencies to allow for full implementation of the process.

ASSESSMENT. The Task Force recognizes the need for individual evaluation of each drainage project. The permitting agencies should evaluate each project on the basis of its individual characteristics. Misunderstandings can arise if reviewers do not have the opportunity (when necessary) to view a project site directly and must evaluate it solely on the basis of written or orally communicated information.

IMPACTS. The Task Force recognizes that drainage projects may have detrimental effects. However, these effects are often short term and ameliorated by revegetation and stabilization of the drain. The Task Force also recognizes that drainage projects, properly executed, may correct erosion and other problems which are detrimental to water quality. The evaluation of proposed projects by permitting agencies should weigh the potential positive effects which accrue from a project against short term detrimental impacts.

CUMULATIVE IMPACTS. The Task Force recognizes that the combined effect of a number of seemingly innocuous small drainage projects within a given watershed can have a significant impact in the overall drainage area. These impacts can be either positive or negative. The permitting agencies should be required to consider these cumulative impacts when formulating the permit conditions for a proposed project.

Recommendation #2

It is recommended that the permitting agencies be required to formally consider each project on the basis of its own merits, compare any impacts of each project's implementation to the possible negative effects of no project, and to evaluate both the positive and negative cumulative impacts of several small projects within a proposed project's watershed. The manner in which these actions will be implemented should be described in the proposed Memorandum of Agreement.

II. PROCEDURAL AND TECHNICAL MANUAL

RIGHTS-OF-ENTRY/RIGHTS-OF-WAY. In its discussions, the Task Force identified several things which contributed to the perception of incompatibility between different state and federal laws regarding drainage. Some of those things related to different activities within the rights-of-way adjacent to regulated drains, and the legality of the activities. The principal action discussed by the Task Force, to resolve controversies, was the cooperative development of a manual. Such a document would describe measures to alleviate concerns of permittees as well as permitting agencies.

NONDEGRADATION. Some members of the Task Force expressed concern that strict interpretation of "non-degradation" language in state environmental law (IC 13-1-3-8) and Water Quality Standards (327 IAC 2-1-2) would result in prohibition of all drainage projects. It was suggested that all drainage projects be exempted from that statute and rule. The Task Force could not reach consensus on that proposal so, alternatively, it was suggested that the statute and rule be amended to exempt only small projects. While it was agreed that application of the statute and rule should be on the basis of the scope and effect of each individual project, there was not consensus regarding exemption. However, the Task Force did agree that language should be incorporated into the proposed manual that would define practices/methods of drain maintenance which, if followed, would not be considered by state regulatory agencies to constitute water quality degradation.

REVIEW PROCEDURES. The belief was expressed that an inadequate "appeal" process exists with regard to decisions made by agency permitting staff. It was therefore agreed that the proposed manual should include a description of a process that will provide "clear and timely access to review by regulatory supervisory personnel".

IMPACT SIGNIFICANCE. The Task Force discussed whether some drainage maintenance activities could be dismissed by the regulatory agencies as being relatively insignificant and not subject to state oversight. It was concluded that the issue could be resolved by including, in the proposed manual, guidelines for assessing the impact of drainage projects and determining whether environmental impacts (including cumulative impacts) will be significantly detrimental or, alternately, short term and relatively insignificant. It was also concluded that permit applicants should contact the permitting agencies to reach agreement on the significance of specific projects.

Recommendation #3

The Water Resources Study Committee should oversee the creation and activities of a small technical work group which will develop a manual of administrative and technical measures related to drainage projects.

- A. The manual would become the accepted standard for conduct of drainage projects, via rulemaking if necessary.
- B. The Committee should determine how the work will be coordinated, as well as the source and amount of funding necessary to carry out development of the manual.
- C. The work group should be facilitated by a person dedicated to the manual's development, and should be comprised of representatives of local, state, and federal entities potentially involved in the regulation or conduct of such drainage projects and representatives of private agricultural and environmental interests. At a minimum, this should include representatives of county surveyors/drainage boards, the Department of Environmental Management, the U.S.D.A. Soil Conservation Service, and the Department of Natural Resources. The U.S. Fish and Wildlife Service, and the U.S. Army Corps of Engineers should also be invited and encouraged to participate.

There was not unanimous agreement by the Task Force on the composition of the work group.

- D. The manual should contain, at a minimum, technical descriptions of drainage project construction techniques and "best management practices" (BMPs) that are protective of the environment, explanations of permitting processes employed by the various agencies, addresses and telephone numbers of agency personnel responsible for permitting, descriptions of measures which would compensate for unavoidable environmental damages, explanations of procedures to be followed by permittees to allow compliance with all applicable laws and regulations, and descriptions of projects exempt from state and/or federal regulation.
- E. The manual should also include a description of a process allowing clear and timely access by permit applicants to supervisory agency personnel so that prospective permit conditions can be reviewed and discussed.

- F. The selection of specific BMPs should consider not only their short term on-site effects but their off-site, cumulative, and downstream impacts as well.
- G. If members of the work group are unable to agree on significant matters relative to production of the manual, the Water Resources Study Committee shall determine the most appropriate means for resolving any disagreement.

III. CONSTRUCTION VS. MAINTENANCE PHASES

Discussions occurred concerning whether county surveyors could agree to permit conditions that might apply after their term of office had expired. This led to discussion about long-term maintenance of drainage projects and who would assume responsibility for "environmental" conditions. It was agreed that development of two-stage permitting procedures could alleviate concerns about maintenance.

Recommendation #4

It is recommended that permitting agencies work with prospective permittees to establish procedures allowing for two-phase permitting of projects.

- A. Phase One would be subject to formal permitting and would consist of the active construction period plus any time required to complete actions required by permits, e.g., erosion control during construction, as well as development of permanent vegetative cover following completion of construction. Permit agencies' staff and permittees' staff would jointly evaluate activities during, and for a specified time after, active construction to assure that all permit conditions were satisfied.
- B. Phase Two would begin after a final inspection allowed for certification of completion of the first phase, at which time the project would be under control of the permittee for continuing maintenance. Appropriate recommended practices for long-term maintenance would be contained in the proposed technical manual. Timing and performance of ongoing simple maintenance, not of sufficient scope to require additional permits, would be left to the professional judgment of the permittee.

The appropriate method of implementing such a phased approach was not decided upon, so will be subject to further discussion. It could possibly be accomplished via a

memorandum of agreement or through modification of existing permitting rules.

IV. REGULATED DRAIN CLASSIFICATION

Physical features of drainageways included in a system of county regulated drains vary considerably. Drain maintenance procedures could be streamlined through the use of a classification system that recognizes the differences. A system of classification of regulated drains could include:

1. Closed tile drains.
2. Excavated (dug) ditches
3. Natural streams modified by humans
4. Natural streams with little or no modification

Each of these suggested classes differs in its ecological value and functionality. Accordingly, the degree of state government oversight/control required for maintenance or reconstruction activities could vary for each class. These classes could be incorporated into the existing drainage code, rules, and defined in the proposed manual. The classification would not apply to surface waters which are not regulated drains.

Recommendation #5

It is recommended that state regulatory agencies work with county drainage boards/surveyors to devise a regulated drain classification system.

- A. The system should recognize regulated drain characteristics and environmental impacts which would occur to the system when maintenance or reconstruction is performed.
 - B. Further, the agencies and boards should examine ways in which regulatory oversight on less significant classes could be reduced without causing any long term, irreversible negative environmental impacts.
 - C. Classification should be explored in conjunction with the development of the proposed manual.
-

V. FUNDING FOR ENVIRONMENTAL ENHANCEMENT

Permit conditions imposed on county drainage projects by regulatory agencies often require environmentally-oriented

actions not normally considered by drainage boards. The Task Force discussed whether the costs of such actions should be paid by the landowners funding the drainage project, or if other benefited parties should assist in funding the measures. Certain of the expenses, such as restoring the work area to a reasonable condition, should be assumed to be part of the "cost of doing business". It was determined by the Task Force that funding of "enhancements" exceeding original conditions should not necessarily be the sole responsibility of the benefited landowners.

Recommendation #6

Drainage projects need to be performed in an environmentally sound manner. Environmental impact remediation needs to be calculated into the costs of the projects. At times, this may entail costs beyond those traditionally calculated for the projects. If it is determined that amelioration of environmental impacts results in an environmental "enhancement" (remediation exceeding original conditions) beneficial to persons outside the project area, then the costs of that enhancement should be borne by the environmentally-benefited public at large, and not just the landowners traditionally assessed for the project. An equitable method of funding the additional costs needs to be identified. Some suggested methods that could be evaluated include:

1. Creation of incentive programs, such as reducing property taxes on land used for environmental impact remediation.
2. County-wide assessments or a county dedicated cumulative fund.
3. State general funds or new, additional funding channeled through the "T by 2000" cost-share program.
4. A designated percentage of an appropriate tax diverted to fund incentive programs or state cost-share.

Enhancements should not be required until an adequate method of funding is in place and funds are available.

VI. WETLAND DELINEATION AND MITIGATION

WETLAND DELINEATION. The Task Force discussed concerns related to identification (determination and delineation) of federally regulated wetlands in drainage project areas. The identification of "jurisdictional" wetlands is a complex and still-changing process. The guidelines which are currently

used for identification, along with any future changes, are controlled by federal agencies and are not subject to manipulation at the state level. There are few persons in Indiana qualified to identify jurisdictional wetlands. Existing wetland maps prepared by the U.S. Fish and Wildlife Service and the U.S.D.A. Soil Conservation Service are not precise enough to identify wetlands for jurisdictional purposes; on-site evaluations must be conducted by qualified personnel. The number of qualified wetland delineators needs to be increased.

Recommendation #7

- A. The Task Force recommends that efforts to provide wetland delineator training be encouraged and supported, and that existing efforts proceed with all possible speed.
- B. It is further recommended that a state-sponsored jurisdictional wetland identification training course be supported, developed, and implemented by a state university by the summer of 1995, if possible.
- C. The Task Force also urges the U.S. Army Corps of Engineers to proceed as quickly as possible to establish a certification program for jurisdictional wetland delineation.

WETLAND MITIGATION. There is currently no coherent policy in Indiana regarding mitigation of adverse impacts to wetlands.

Recommendation #8

The Task Force recommends that the agencies involved develop a consistent policy for wetland mitigation with respect to impacts arising from land improvement, particularly with respect to drainage maintenance and reconstruction activities, in Indiana. The agencies would include the Department of Environmental Management, the Department of Natural Resources, the U.S. Fish and Wildlife Service, the U.S.D.A. Soil Conservation Service, and, if possible, the U.S. Army Corps of Engineers.

VII. UNRESOLVED ISSUES

POINT SOURCE DISCHARGES. The discharge of pollutants from tile or pipe "point sources" into regulated drains was discussed. IC 36-9-27-23 (Drainage Code) does somewhat address the issue, but livestock waste and human waste are still often illegally disposed of and are sometimes

encountered being discharged directly into regulated drains. The idea of statutorily depriving such illegal dischargers of drainage benefits was discussed but no recommendation resulted.

COST/BENEFIT ANALYSIS. Current drainage law regarding cost/benefit evaluations requires only subjective consideration of the cost of physically improving water flow in a regulated drain vs. the value of the land use benefits derived from removing the associated additional amount of water. Concern for environmental impacts has not generally been a consideration. No recommendations resulted from the discussion.

TIMELY NOTIFICATION. The Task Force heard concerns about apparent incongruities in time constraints imposed by various agencies involved in permitting of drainage projects. The result of discussions was agreement that permit applicants must be assured of timely notification by all agencies in order to comply with varied statutory time limits for response. No recommendations were made regarding how this was to be accomplished.

NO NET LOSS OF WETLANDS. This was identified as primarily a federal policy which was a significant issue at one of the Task Force's early meetings, but was never discussed at length, due to time constraints.

APPENDIX 1

MEMBERS AND PROXIES FOR THE DRAINAGE BOARD TASK FORCE OF
THE WATER RESOURCES STUDY COMMITTEE

Mr. Jay Poe, Huntington County Surveyor

Mr. Kenton Ward, Hamilton County Surveyor

Mr. Jim Ray, IDNR, Division of Soil Conservation

Mr. Dennis Clark, IDEM, Chief, Special Projects/Standards
Section, Office of Water Management

Mr. Jack Ruger, President, Indiana Association Of Soil and
Water Conservation Districts
Proxy for Mr. Ruger, Robert White, Executive Director,
IASWCD

Mr. Robert Eddleman, State Conservationist, USDA Soil
Conservation Service
Proxy for Mr. Eddleman, Philip R. McLoud, Assistant
State Conservation Engineer, USDA SCS

Mr. David Hudak, Supervisor, Bloomington Field Office, U. S.
Fish and Wildlife Service
Proxy for Mr. Hudak, Mike Litwin, USFWS

Mr. William Christman, Chief, Regulatory Branch, Louisville
District, U.S. Army Corps of Engineers

Mr. James New, J.F. New and Associates

Mr. Jim Barnett, Director, Natural Resources Department,
Indiana Farm Bureau, Inc.

Mr. Lawrence Dorrell, Legislative Director, Indiana Farmers
Union, Inc.

Mr. Thomas Dustin, Environmental Affairs Advisor, Indiana
Division, Izaak Walton League of America, Inc.
Proxy for Mr. Dustin, Patricia Werner, Project
Director, The Wetlands Project, Hoosier Chapter of the
Sierra Club

Mr. Steve Cox, Indiana BASS Chapter Federation

Dr. James Gammon, Department of Biological Sciences, DePauw
University
Proxy for Dr. Gammon, Harold McReynolds

Mr. David Gesl, Detroit District, U. S. Army Corps of
Engineers

APPENDIX 2

Early in the process, task force members identified 22 problems associated with drainage projects. This list was further clarified and is listed in items A through V. Each of the 22 problems were discussed. The final conclusions/consensus are found in one of the eight recommendations in the body of this report. These eight recommendations are included in the following seven discussion categories:

- I. Memorandum of Agreement
- II. Procedural & Technical Manual
- III. Construction vs. Maintenance Phases
- IV. Drain Classification
- V. Funding for Environmental Enhancement
- VII. Wetland Delineation & Mitigation
- VIII. Unresolved Issues

The number preceding each of the items below shows where the recommendations for resolution of each of the 22 problems.

<u>Recommendation</u>	<u>Problems Identified</u>
1	A. Disputes "filling in wetlands" language (ATF permit) - Misunderstand - What is problem with filling wetlands - Language
1	B. Corps says no wetlands exist where fish and wildlife map shows there are - Maps not 100% accurate, but a good guide
3	C. Surveyors cannot agree to conditions beyond their term of office - Can't force maintain past term of office (surveyors)
2	D. Easement problems along drains as required by permit. Easy to do for large projects, but could cost more than small project itself. - How much area left as grass - 75' control or just right of entry - Farmers can farm strip
5	E. But part of cost is downstream effects - Affect landowners - more water downstream - Downstream not paying - Increase flooding, sedimentation - Cumulative impact
5	F. Should cost be shouldered solely by landowner?

- Permit conditions benefit more than just property owners
 - Share cost
- | | |
|-----------------------|----------------------------|
| <u>Recommendation</u> | <u>Problems Identified</u> |
|-----------------------|----------------------------|

- Cost borne by all in watershed
- Cumulative funds - general fund not reimbursed by property owner
- General drainage improvement funds - are paid back by property owners with increased assessment

- 7 G. Cost/Benefit ratio should be considered case by case
- Code required cost/benefit analysis
 - Consider all benefits and costs including environmental and financial
 - If the ratio is not positive, then don't do it

- 7/5 H. Restoration vs. creation
- Replacing habitat
 - Creating is adding something that was not there. If required, who should pay?

- 2 I. Significant vs. Insignificant impact
- Long term significant/termprorary or insignificant damage
 - DNR letters - say all are significant
 - Some impacts are insignificant
 - Timing may affect significant, i.e. spawning fish

- 1 J. Cumulative impacts
- Must consider even with individual insignificant impacts by themselves
 - These impacts heal
 - Many small projects increase water flow, erosion and flooding
 - Measure effect in sediment core samples
 - Concerned about wetland lost with many small projects
 - Small impacts add up
 - If not maintained sediment will go downstream
 - Cut off oxbow resulting in more area for water to back up and decreased erosion/sedimentation

- 4/2 K. All drains equal or treated as such
- Drains are different
 - Some constructed, others were natural streams, little modifications, others are more modified
 - Each class would have different environmental attributes
 - Some were ditches from beginning - should be treated differently
 - Staff recognize differences from practical standpoint and do not treat all the same

2

- L. Planting trees in right-of-way
- Yes, could, but not without permission of board
 - May shade grass and cause erosion
 - Trees are documented as stabilizing stream banks and are required only where trees were removed

Recommendation

Problems Identified

- 75' strip is for continued maintenance by drainage board
- Need is decreased on some stretches
- Nothing says trees can't be removed by property owner even if board was required to plant trees
- Maintenance is important and may prevent a new project
- Strike balance - habitat/aquatic life vs. sufficient flow
- Running side take most trees, but can save some
- Other side leave most, but not in counties
- Can go beyond 75' but pay damages if crops destroyed

2

- M. Wood duck and bluebird boxes in right-of-way
- Not a permit condition
 - Felt there was already a lot of habitat nearby, bluebirds were not affected
 - What determines how much?
 - What are the criteria?
 - DNR may have guessed at what was there
 - County surveyors should point out possibility of leaving brush piles
 - Would groups do some of projects - habitat?
 - Improve cooperation between surveyors and conservation groups
 - What are criteria for permit conditions?
 - Don't need rule, but need to identify criteria

2

- N. Removal of trees in right-of-way

2

- O. In-stream "enhancement" structures
- Corps materials about structures (trees, boulders, etc.) from letters from DNR
 - Some structures don't make sense in all drains

3

- P. Long term mitigation procedures
- Cost benefit ratio
 - Long term impact
 - Erosion and sedimentation
 - How to maintain mitigation

2

- R. IAC 13-1-3-8 can't do apparently anything to contaminate

- Reasons for stopping projects
 - Can't do anything ever and comply
 - Should get legal opinion
 - Develop rules to implement statute
 - Anti-degradation policy required by fed.
- 2 S. Degradation begins with first bucket 3-27-IAC 2-1-2
- Include in legal question
 - What does degradation mean?
- 5 T. Mitigation costs/project costs ratio
- Should tie mitigation cost and project cost
 - Should not limit recommendations
 - Corps will balance and may not adopt all
 - Consider mitigation cost in cost/benefit analysis
 - Mitigation cost should not be 10 X project cost
 - Need to deal with Corps on mitigation on Corps permits
 - Passing along recommendations is for applicant's information
 - Corps cannot change 401
 - 401 may require things beyond 404 requirement
- 7 U. No net loss
- 1/2 V. Notification of applicant
- Not enough time. Have 18 days

000038

SENATE CONCURRENT RESOLUTION

INTRODUCED BY

Senator Wheeler, Senator Meeks, and Senator O'Day

_____ read first time and assigned
JAN 28 1991 AGRICULTURE & SMALL BUSINESS

A SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF AN INTERIM STUDY COMMITTEE REGARDING STATE AND LOCAL DRAINAGE LAWS.

A Senate Concurrent Resolution Urging the Establishment of an Interim Study Committee Regarding State and Local Drainage Laws.

WHEREAS, Drainage is a matter that has a great impact upon the development of the physical resources of Indiana;

WHEREAS, the economic productivity, recreational utility, and natural beauty of the state are all affected by the sufficiency of drainage in Indiana;

WHEREAS, laws and regulations relating to drainage have been imposed by state and local governments and conflicts may exist between those laws and regulations;

WHEREAS, many of these laws and regulations have been in existence for many years and may now be antiquated so as to require updating;

WHEREAS, these matters involve complex issues: Therefore,

BE IT RESOLVED BY THE SENATE OF THE INDIANA GENERAL ASSEMBLY, THE HOUSE OF REPRESENTATIVES CONCURRING:

SECTION 1. That the legislative council is urged to establish an interim study committee to study and review matters concerning state and local drainage laws and regulations.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the legislative council.