

Amend SB 1858 (committee printing) in Section 2 of the bill as follows:

(1) Strike the introductory language to Section 2 of the bill (page 1, lines 16 and 17), and substitute the following:

SECTION 2. Section 26.177, Water Code, is amended by amending Subsections (a), (b), (c), (d), (f), and (g) and adding Subsection (i) to read as follows:

(2) In amended Section 26.177(a), Water Code (page 1, lines 18 and 19), strike "Notwithstanding any other law, a local government [A-city]" and substitute "A local government [city]".

(3) In amended Section 26.177(a), Water Code (page 1, line 22), strike "only".

(4) In amended Section 26.177(a), Water Code (page 1, line 23), before "commission", insert "minimum".

(5) In amended Section 26.177(a), Water Code (page 1, lines 24 through 26), strike "rules. A local government does not have independent authority to regulate water quality, issue permits, or establish standards or practices for water quality [city]" and substitute "rules [city]".

(6) In amended Section 26.177(b), Water Code (page 1, lines 47 and 48), strike "that are not located within a county that has adopted a water pollution control and abatement program and that [which]" and substitute "which".

(7) In amended Section 26.177(b), Water Code (page 1, line 51), between "jurisdiction" and the period, insert ", unless those areas are also located in a county that has adopted a water pollution control and abatement program, in which case the more stringent water pollution control and abatement program prevails".

(8) In amended Section 26.177(b), Water Code (page 1, lines 55 through 58), strike "that portion of the city's extraterritorial jurisdiction automatically shall be removed from the city's program and shall be subject only to the county's water pollution control and abatement program" and substitute "the more stringent water pollution control and abatement program prevails".

(9) In amended Section 26.177(b), Water Code (page 1, line 61), between "with" and "pollution", insert "minimum".

(10) In amended Section 26.177(b)(5), Water Code (page 2,

line 20), between "with" and "state", insert "minimum".

(11) In amended Section 26.177(c), Water Code (page 2, line 30), between "approval" and the period, insert "to ensure compliance with minimum standards set by the commission".

(12) In amended Section 26.177(c), Water Code (page 2, line 31), between "program" and "is not effective", insert "that is in effect before June 1, 2005, is effective and may be enforced pending commission review and approval under this subsection. A water pollution control and abatement program adopted on or after June 1, 2005,".

(13) In amended Section 26.177, Water Code (page 2, between lines 64 and 65), insert the following:

(i) This section may not be construed to prevent a local government from establishing a water pollution control and abatement program that is more stringent than minimum state water quality standards and practices or other pollution and degradation standards and practices adopted by the commission. The commission, when reviewing and approving local government plans under this section, must review and consider for approval, modification, or denial a plan that at least meets minimum standards adopted by the commission. It is the policy of this state that different areas of this state have unique environmental and geological features, and the commission should recognize the needs of unique areas by establishing separate sets of rules under this section for unique areas, including the Edwards Aquifer recharge zone.