

Amend CSSB 3 (House committee printing) as follows:

(1) In the recital to SECTION 2A.02 of the bill (page 54, line 14), strike "16.146" and substitute "16.147".

(2) In SECTION 2A.02 of the bill, following proposed Section 16.146, Water Code (page 56, between lines 22 and 23), insert the following:

Sec. 16.147. ENVIRONMENTAL MITIGATION. (a) If a person constructing a reservoir is required to mitigate the past, present, or future adverse environmental effects arising from the construction or operation of the reservoir or its related facilities, the person shall, if authorized by the applicable regulatory authority, attempt to mitigate those effects by offering to contract with and pay an amount of money to an owner of real property to maintain, control, hold, restore, enhance, develop, or redevelop the property instead of acquiring or managing property for that purpose.

(b) An owner of real property may reject an offer made under Subsection (a).

(c) Development rights purchased under this section shall be held and administered by a land trust selected by the property owner from a complete list, provided by Texas Parks and Wildlife Commission, of landtrusts, including agricultural landtrusts, operating in this state.

(d) If practicable, the mitigation of a past, present, or future adverse environmental effect arising from construction or operation of any part of the reservoir or its related facilities shall occur on property within the area of the holder of the permit to impound surface water in the reservoir.