AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 7776
OFFERED BY MR. GRAVES OF LOUISIANA

At the end of title III, add the following:

SEC. 3. REPAYMENT OPTIONS FOR FLOOD CONTROL PROJECTS.

Section 103(k) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)) is amended by adding at the end the following:

“(5) REPAYMENT OPTIONS.—Repayment of a non-Federal contribution for any eligible deferred payment described in paragraph (2)(B) may be satisfied through the provision by the non-Federal interest of fish and wildlife mitigation for one or more projects or separable elements, if the Secretary determines that—

“(A) the non-Federal interest has incurred costs for the provision of mitigation that—

“(i) equal or exceed the amount of the required repayment; and

“(ii) are in excess of any required non-Federal contribution for the project or
separable element for which the mitigation is provided; and

“(B) the mitigation is integral to the project for which it is provided.”.