SEC. ___. CLOSURE OF ST. MARYS AIRPORT.

(a) RELEASE OF RESTRICTIONS.—Subject to subsection (b), the United States, acting through the Administrator of the Federal Aviation Administration, shall release the City of St. Marys, Georgia, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Marys Airport, to the extent such restrictions, conditions, and limitations are enforceable by the Administrator.

(b) REQUIREMENTS FOR RELEASE OF RESTRICTIONS.—The Administrator shall execute the release under subsection (a) once all of the following occurs:

(1) The Secretary of the Navy transfers to the Georgia Department of Transportation the amounts described in subsection (c) and requires an enforceable condition on such transfer that all funds transferred shall be used only for airport development (as defined in section 47102 of title 49, United States Code) of a regional airport in Georgia, consistent with planning efforts conducted by the Administrator and the Georgia Department of Transportation.

(2) The City of St. Marys, for consideration as provided for in this section, grants to the United States, under the administrative jurisdiction of the Secretary, a restrictive use easement in the real property used for the St. Marys Airport, as determined acceptable by the Secretary, under such terms and conditions that the Secretary considers necessary to protect the interests of the United States and prohibiting the future use of such property for all aviation-related purposes and any other purposes deemed by the Secretary to be incompatible with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia.

(3) The Secretary obtains an appraisal to determine the fair market value of the real property used for the St. Marys Airport in the manner described in subsection (c)(1).

(4) The Administrator fulfills the obligations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in connection with the release under subsection (a). In carrying out such obligations—

(A) the Administrator shall not assume or consider any potential or proposed future redevelopment of the current St. Marys airport property;

(B) any potential new regional airport in Georgia shall be deemed to be not connected with the release noted in subsection (a) nor the closure of St. Marys Airport; and

(C) any environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a potential regional airport in Georgia shall be considered through an environmental review process separate and apart from the environmental review made a condition of release by this section.

(5) The Administrator fulfills the obligations under sections 47107(h) and 46319 of title 49, United States Code.

(6) Any actions required under part 157 of title 14, Code of Federal Regulations, are carried out to the satisfaction of the Administrator.

(c) TRANSFER OF AMOUNTS DESCRIBED.—The amounts described in this subsection are the following:

(1) An amount equal to the fair market value of the real property of the St. Marys Airport, as determined by the Secretary and concurred in by the Administrator, based on an appraisal report and title documentation that—

(A) is prepared or adopted by the Secretary, and concurred in by the Administrator, not more than 180 days prior to the transfer described in subsection (b)(1); and

(B) meets all requirements of Federal law and the appraisal and documentation standards applicable to the acquisition and disposal of real property interests of the United States.

(2) An amount equal to the unamortized portion of any Federal development grants (including grants available under a State block grant program established pursuant to section 47128 of title 49, United States Code), other than used for the acquisition of land, paid to the City of St. Marys for use as the St. Marys Airport.

(3) An amount equal to the airport revenues remaining in the airport account for the St. Marys Airport as of the date of the enactment of this section and as otherwise due to or received by the City of St. Marys after such date of enactment pursuant to sections 47107(b) and 47133 of title 49, United States Code.

(d) AUTHORIZATION FOR TRANSFER OF FUNDS.—Using funds available to the Department of the Navy for operation and maintenance, the Secretary may pay the amounts described in subsection (c) to the Georgia Department of Transportation, conditioned as described in subsection (b)(1).

(e) ADDITIONAL REQUIREMENTS.—

(1) SURVEY.—The exact acreage and legal description of St. Marys Airport shall be determined by a survey satisfactory to the Secretary and concurred in by the Administrator.

(2) PLANNING OF REGIONAL AIRPORT.—Any planning effort for the development of a regional airport in southeast Georgia shall be conducted in coordination with the Secretary, and shall ensure that any such regional airport does not interfere with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia. The determination of the Secretary shall be final as to whether the operations of a new regional airport in southeast Georgia would interfere with such military operations.

Section-by-Section Analysis

This proposal would provide for the release of the City of St. Marys, Georgia, from its obligations to the Federal Aviation Administration (FAA) associated with operation of an airport and for the Secretary of the Navy to pay for certain costs owed by the City of St. Marys to FAA associated with the release. This would then lead to the closure of the airport.

The City of St. Marys, Georgia, operates a general aviation airport, which is part of the FAA National Plan of Integrated Airport Systems. As an element of the National Plan of Integrated Airport Systems, St. Marys Airport plays a role in regional air traffic management in southeast Georgia. St. Marys Airport is located approximately 1.5 miles from Naval Submarine Base (NSB) Kings Bay Georgia which has Strategic Weapons Facility Atlantic (SWFLANT) as its major tenant. SWFLANT is a Strategic Systems Program component that supports the strategic deterrence mission of the U.S. Navy and the national security of the U.S. Privately-owned aircraft operating from St. Marys Airport cause significant security and safety risks to operations at Naval Submarine Base Kings Bay that cannot be adequately mitigated and can only be resolved with the closure of St. Marys Airport. In order to gain support from the FAA to close the St. Marys Airport, the FAA requires funds for a replacement airport or enhancement of a nearby public-use airport. It is not reasonable, and is simply not feasible, for the City of St. Marys to pay for the airport relocation. Due to precedential concerns, the FAA cannot waive the fair market value of the current airport, block grant amortized amount, or airport revenue contribution requirements associated with a replacement airport. The FAA is supportive of closing the airport through the legislative process. Closure of St. Marys Airport, along with efforts to relocate air traffic to other locations in southeast Georgia, will meet both national security and national aviation policy needs.

This legislative proposal is modeled after other provisions of law that provided for the closure of an airport, including the Rialto Municipal Airport in Rialto, California in 2005

(Section 4408 of SAFETEA-LU (Public Law 109-59; 119 Stat. 1777)) and the St. Clair, Missouri Regional Airport in 2014 (Public Law 113-285).

Subsection (a) of the proposal releases the City of St. Marys from its obligations to the FAA under existing statutes and regulations.

Subsection (b)(1) of the proposal authorizes the Department of the Navy (DON) to pay all or part of the obligation otherwise owed by the City of St. Marys to the Georgia Department of Transportation (DOT) to allow closure of the airport consistent with statutory authority and FAA regulations covering airport closure. Under this provision, DON would transfer funding to the Georgia DOT to be used only for airport development of an airport in Georgia, consistent with planning efforts conducted by the Administrator of the FAA and the Georgia DOT.

Subsection (b)(2) of the proposal sets a condition precedent that the City of St. Marys, in voluntary exchange for DON meeting the City's obligations to FAA associated with airport closure, grants a no-cost restrictive easement or similar type property interest that prevents future use of the current airport property for aviation purposes and any other incompatible uses affecting NSB Kings Bay operations.

Subsection (b)(3) of the proposal states that the Navy will carry out an appraisal to determine the fair market value of the real property used for the St. Marys Airport.

Subsection (b)(4) of the proposal conditions the release on the FAA conducting the appropriate environmental review in connection with the release under the National Environmental Policy Act (NEPA). The review would not contemplate potential or proposed future redevelopment of St Marys airport, if and when it may be proposed. NEPA analysis in connection with any potential or proposed future airport redevelopment would occur under an environmental review process separate and apart from any required as a condition of release.

Subsections (b)(5) and (b)(6) of the proposal conditions the release on the statutory and regulatory notice requirements related to the modification of an aeronautical land-use assurance and closure.

Subsection (c) of the proposal sets out the various financial obligations, imposed by statute and FAA regulations, associated with the closure of the St. Marys Airport that DON would meet. Specifically, subsection (c)(1) of the proposal would require DON to transfer the fair market value (FMV) of the current St. Marys Airport real property. In October 2010, the St. Marys Airport property was appraised at a FMV of $5.7 million, which was accepted by FAA in 2014. An updated appraisal report will be made to appraise the current (post legislation date of value) FMV payment for FAA acceptance to satisfy the applicable airport closure requirements. Subsection (c)(2) of the proposal would require DON to transfer the unamortized value of the grant payments received by the City of St. Marys from the FAA for airport improvements, estimated at $300,000 as of February 2015. Lastly, subsection (c)(3) of the proposal would require DON to transfer the value of airport revenues, estimated at $12,000 as of February 2015.

Subsection (d) of the proposal provides authority for DON to transfer existing Operation and Maintenance (O&M, N) funding to the State of Georgia with the condition that the funds be used for the purposes of airport development in Georgia consistent with planning efforts conducted by the FAA and the Georgia DOT. As noted above, this funding would meet existing obligations owed by the City of St. Marys to FAA and allow closure of the airport in accordance with existing statutes and FAA regulations.

Subsection (e) of the proposal lays out various additional requirements. Specifically, Subsection (e)(1) would require any survey of the airport to be satisfactory to DON and FAA. Subsection (e)(2) would ensure that if a new regional airport is created in southeast Georgia it would not have similar adverse security and safety impacts as those currently associated with St. Marys Airport.

Budget Implications: The resources reflected in the table below are funded within the FY 2017 President's Budget.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Navy	6.012	0	0	0	0	Operation and Maintenance, Navy	01	BSS1	0206079N
Total	6.012	0	0	0	0				

Changes to Existing Law: This proposal would not change the text of any existing law.