

113TH CONGRESS
1ST SESSION

H. R. 3051

To extend State jurisdiction over submerged lands and to allow States to grant oil and natural gas leases in the extended area.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2013

Mr. SANFORD introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To extend State jurisdiction over submerged lands and to allow States to grant oil and natural gas leases in the extended area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coastal States Exten-
5 sion Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) In Executive Proclamation 5928, issued on
2 December 27, 1988, the President extended the
3 boundaries of the territorial sea of the United States
4 from 3 nautical miles to 12 nautical miles in accord-
5 ance with international law. However, the Proclama-
6 tion did not adequately address the effect of the ex-
7 tension on the territorial jurisdiction of the States.

8 (2) The coastal States have, with few excep-
9 tions, jurisdiction over the land, air, water, and re-
10 sources within their boundaries, which in most cases
11 extend out into the oceans 3 nautical miles.

12 (3) The Great Lake States have jurisdiction
13 over the land, air, water, and resources of their off-
14 shore areas up to the border with Canada, which can
15 range from 11 to 80 nautical miles from the coast
16 line.

17 (4) Some Gulf of Mexico States have jurisdic-
18 tion over the land, air, water, and resources of their
19 offshore areas out to 10.4 nautical miles from their
20 coast line.

21 (5) The coastal States—

22 (A) have consistently demonstrated an
23 ability to manage ocean resources within their
24 jurisdiction in a manner consistent with the in-

1 terests of both the Nation and the coastal
2 States;

3 (B) have demonstrated both experience
4 and skill at balancing protection, conservation,
5 and utilization of the living and nonliving re-
6 sources of the ocean; and

7 (C) are better equipped than the Federal
8 Government, in terms of fiscal resources and
9 administrative abilities, to manage oil and nat-
10 ural gas resources within 12 nautical miles of
11 their coast line.

12 **SEC. 3. EXTENSION OF STATE JURISDICTION OVER SUB-**
13 **MERGED LANDS.**

14 The Submerged Lands Act is amended—

15 (1) in section 2(a)(2) (43 U.S.C. 1301(a)(2))
16 by striking out “three geographical miles” the first
17 place it appears and all that follows through “be-
18 yond three geographical miles,” and inserting “12
19 nautical miles distant from the coast line of each
20 such State;”;

21 (2) in section 2(b) (43 U.S.C. 1301(b))—

22 (A) by striking out “they existed” and all
23 that follows through “extended or” and insert-
24 ing in lieu thereof “approved and”; and

1 (B) by striking out “three geographical”
2 and all that follows through “Mexico” and in-
3 serting “12 nautical miles or, in the case of the
4 Great Lakes, farther than to the international
5 boundary”; and

6 (3) in section 4 (43 U.S.C. 1312)—

7 (A) in the first sentence—

8 (i) by striking out “original coastal
9 State” and inserting “coastal State admit-
10 ted to the Union before the date of enact-
11 ment of the Coastal States Extension Act
12 of 2013”; and

13 (ii) by striking out “three geo-
14 graphical” and inserting “12 nautical”;
15 and

16 (B) in the second sentence by striking
17 “formation” and all that follows through the
18 end of the section and inserting “date of enact-
19 ment of the Coastal States Extension Act of
20 2013 may assert its seaward boundaries to a
21 line 12 nautical miles distant from its coast
22 line.”.

1 **SEC. 4. DISPOSITION OF CERTAIN OIL AND NATURAL GAS**
2 **LEASES IN STATE SUBMERGED LANDS.**

3 (a) IN GENERAL.—Any oil lease and natural gas
4 lease executed by the Secretary of the Interior under the
5 Outer Continental Shelf Lands Act (43 U.S.C. 1331 and
6 following) that is in effect on the date of the enactment
7 of this Act covering an area within lands transferred to
8 States under section 3 shall remain in full force and effect
9 until it expires pursuant to its terms or is cancelled pursu-
10 ant to the Outer Continental Shelf Lands Act. Subject to
11 subsection (b), upon the expiration or cancellation of such
12 a lease, the State in whose territory the leased area is situ-
13 ated shall have the authority to grant oil and natural
14 leases in such area.

15 (b) PROHIBITION ON USE OF LEASE PROCEEDS FOR
16 COASTAL ZONE DEVELOPMENT.—A State may not grant
17 a lease in the area transferred to the State under that
18 section until the Secretary of Commerce determines that
19 the State has an approved program or is making satisfac-
20 tory progress in developing a program under section 306
21 of the Coastal Zone Management Act of 1972 (16 U.S.C.
22 1455).

23 (c) DEFINITIONS.—As used in this section—

24 (1) the term “lease” has the meaning given
25 that term in section 2(c) of the Outer Continental
26 Shelf Lands Act (43 U.S.C. 1331(c)); and

1 (2) the term “coastal zone” has the meaning
2 given that term in section 304(1) of the Coastal
3 Zone Management Act of 1972 (16 U.S.C. 1453(1)).

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