



BUREAU OF OCEAN ENERGY MANAGEMENT

Operating Status



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## Federal Offshore Lands

The Submerged Lands Act (SLA) of 1953 grants individual States rights to the natural resources of submerged lands from the coastline to no more than 3 nautical miles (5.6 km) into the Atlantic, Pacific, the Arctic Oceans, and the Gulf of Mexico. The only exceptions are Texas and the west coast of Florida, where State jurisdiction extends from the coastline to no more than 3 marine leagues (16.2 km) into the Gulf of Mexico.

The SLA also reaffirmed the Federal claim to the lands of the Outer Continental Shelf (OCS), which consists of those submerged lands seaward of State jurisdiction. The SLA led to the passage of the Outer Continental Shelf Lands Act later in 1953 (OCSLA). The OCSLA and subsequent amendments, in later years, outlines the Federal responsibility over the submerged lands of the OCS. Additionally, it authorizes the Secretary of the Interior to lease those lands for mineral development.

On March 10, 1983, President Ronald Reagan signed a Presidential Proclamation (5030) which set up the U.S. Exclusive Economic Zone (EEZ). The EEZ consists of those areas adjoining the territorial sea of the United States, the Commonwealth of Puerto Rico, the Commonwealth of Northern Mariana Islands, and U.S. overseas territories and possessions. The EEZ extends up to 200 nautical miles (370 km) from the coastline. About 15 percent of this area lies on the geologic continental shelf and is shallower than 200 m (656 ft). Another 10 to 15 percent lies on the continental slope and rise, between 200 and 2,000 m (656 and 6,562 ft) water depth. The remaining 70–75 percent is abyssal plain where water depths reach 3,000–5,000 m (9,843–16,405 ft).

Leasing of Federal lands and their subsequent development has made the OCS a major source of the Nation's supply of crude oil and natural gas. Offshore operators have also produced salt and sulphur from OCS leases. In 1985, an amendment to the OCSLA authorized the creation of an OCS sand and gravel leasing program.

The Oil Pollution Act of 1990 (OPA 90) gave the Secretary of the Interior authority over offshore facilities and associated pipelines, with the exception of deepwater ports, for State and Federal offshore waters. The Secretary in turn delegated this OPA 90 authority to BOEM's predecessor agency, the Minerals Management Service. The resulting tasks for BOEM include the following:

- enforcing spill prevention measures,
- reviewing spill response plans,
- inspecting spill containment and cleanup equipment,
- reviewing spill financial liability limits, and
- certifying spill financial responsibility.

While the OCSLA and OPA 90 define the bureau's jurisdiction and regulatory responsibility on Federal offshore lands, other Federal laws play a significant role in the management of offshore operations. Compliance with the provisions of these laws is a major undertaking. Some of those laws are:

National Environmental Policy Act of 1970 (NEPA) - The NEPA requires a detailed environmental review before any major or controversial Federal action.

Clean Air Act of 1970 (CAA, reauthorized in 1990) - The CAA regulates the emission of air pollutants from industrial activities.

Coastal Zone Management Act of 1972 (CZMA, reauthorized in 1990) - The CZMA requires State review of Federal action that affects the land and water use of the coastal zone.

Clean Water Act of 1977 (CWA) - The CWA, through the issuance of National Pollutant Discharge and Elimination System permits, regulates the discharge of toxic and nontoxic pollutants into the surface waters of the U.S.

Federal Oil and Gas Royalty Management Act of 1982 (FOGRAMA) - The FOGRAMA requires that oil and gas facilities be built in a way that protects the environment and conserves Federal resources.

Marine Mammals Protection Act of 1972 (MMPA) - The MMPA provides for the protection and conservation of all marine mammals and their habitats.

Endangered Species Act of 1973 (ESA) - The ESA requires a permit for the taking of any protected species. It also requires that all Federal actions not significantly impair or jeopardize protected species or their habitats.