MINUTE ITEM
This Calendar Item No. C20 was approved as Minute Item No. 20 by the California State Lands Commission by a vote of 3 to 0 at its 11/27/00 meeting.

# CALENDAR ITEM
# C20

A )
} STATEWIDE
S )

11/27/00
W 4721
C. Perez
L. Kiley
N. Saggese

## CONSIDER AUTHORIZATION FOR THE EXECUTIVE OFFICER TO ACCEPT AND SIGN, ON BEHALF OF THE STATE OF CALIFORNIA, FINAL BLOCK DIAGRAMS PREPARED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, THAT DEPICT AND DELINEATE THE POSITION OF THE 3-MILE OFFSHORE BOUNDARY BETWEEN LANDS OWNED AND ADMINISTERED BY THE STATE OF CALIFORNIA AND LANDS ADMINISTERED BY THE UNITED STATES

**PARTIES:**
United States, acting by and through the Department of the Interior, Minerals Management Service (MMS)

State of California, acting by and through the State Lands Commission

**SUMMARY:**
Staff proposes that the Commission authorize the Executive Officer to accept and sign, on behalf of the State, Outer Continental Shelf (OCS) Block Diagrams that intersect, depict and delineate the position of the Offshore Boundary of the State of California. The staff of the Commission and the staff of MMS have agreed, after many years of careful study and negotiation, to a final position of the Offshore Boundary as delineated on the OCS Block Diagrams. Both the United States and the State of California would use the agreed offshore boundary position for administrative purposes. The boundary would be utilized, for example, to apportion oil and gas revenues between the State and Federal governments. However, the legal boundary between the two entities would not be permanently fixed unless the United States and California agree at a future time to do so.

**BACKGROUND:**
The United States was sued in the U. S. Supreme Court in 1945 to establish its claims of dominion over and title to the lands and minerals lying within the three-mile offshore belt along the California coastline. Prior to that suit, it had been assumed that California had exclusive ownership and dominion over those lands. The Supreme Court in United States v. California, 332 U.S. 19, decreed: "The United States of America is now, and

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has been at all times pertinent hereto, possessed of paramount rights in, and full dominion and power over, the lands, minerals and other things underlying the Pacific Ocean lying seaward of the ordinary low-water mark on the coast of California, and outside of the inland waters, extending seaward three nautical miles.... "The State of California has no title thereto or property interest therein."

The United States Congress passed legislation in 1953 entitled, "The Submerged Lands Act of 1953", that became effective on May 22, 1953 (Public Law 31, 67 Statutes 29). The Act confirmed and established the title of the State of California to submerged lands under navigable waters, extending to 3 nautical miles from the coastline. The Act did not precisely define the term "coastline". The Supreme Court, however, retained jurisdiction over the 1945 case, and issued a series of decrees that established criteria for selecting baseline points from which to delineate the offshore boundary. About 1963, offshore oil leasing generated new interest in the precise location of the boundary. Controversy over the definition and use of various baseline points (termed "salient points") has continued until very recently. Many proposed salient points are small offshore rocks that are very close to the elevation of Mean Lower Low Water, and the use of particular rocks has often been a source of conflict. The staffs of the Commission and MMS have worked since 1963, as time and budget permitted, on resolving differences and delineating the offshore boundary.

MMS, in cooperation with the Commission staff, has recently completed the proposed final positioning of the boundary. The work has been checked for errors and accuracy by Commission staff and staff concurs with the proposed position of the offshore boundary as delineated on the OCS Block Diagrams. MMS is producing final plats (maps) of the OCS Blocks that delineate the agreed position. Staff proposes that the Commission authorize the Executive Officer to accept and sign the OCS Block Diagrams on behalf of the State.

**EXHIBITS:**

A. Location Map
B. Outer Continental Shelf Protraction Diagram

**OTHER PERTINENT INFORMATION:**

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a statutorily exempt project. The project is exempt because it involves settlements of title and boundary problems.

Authority: Public Resources Code Section 21080.11

**RECOMMENDED ACTION:**

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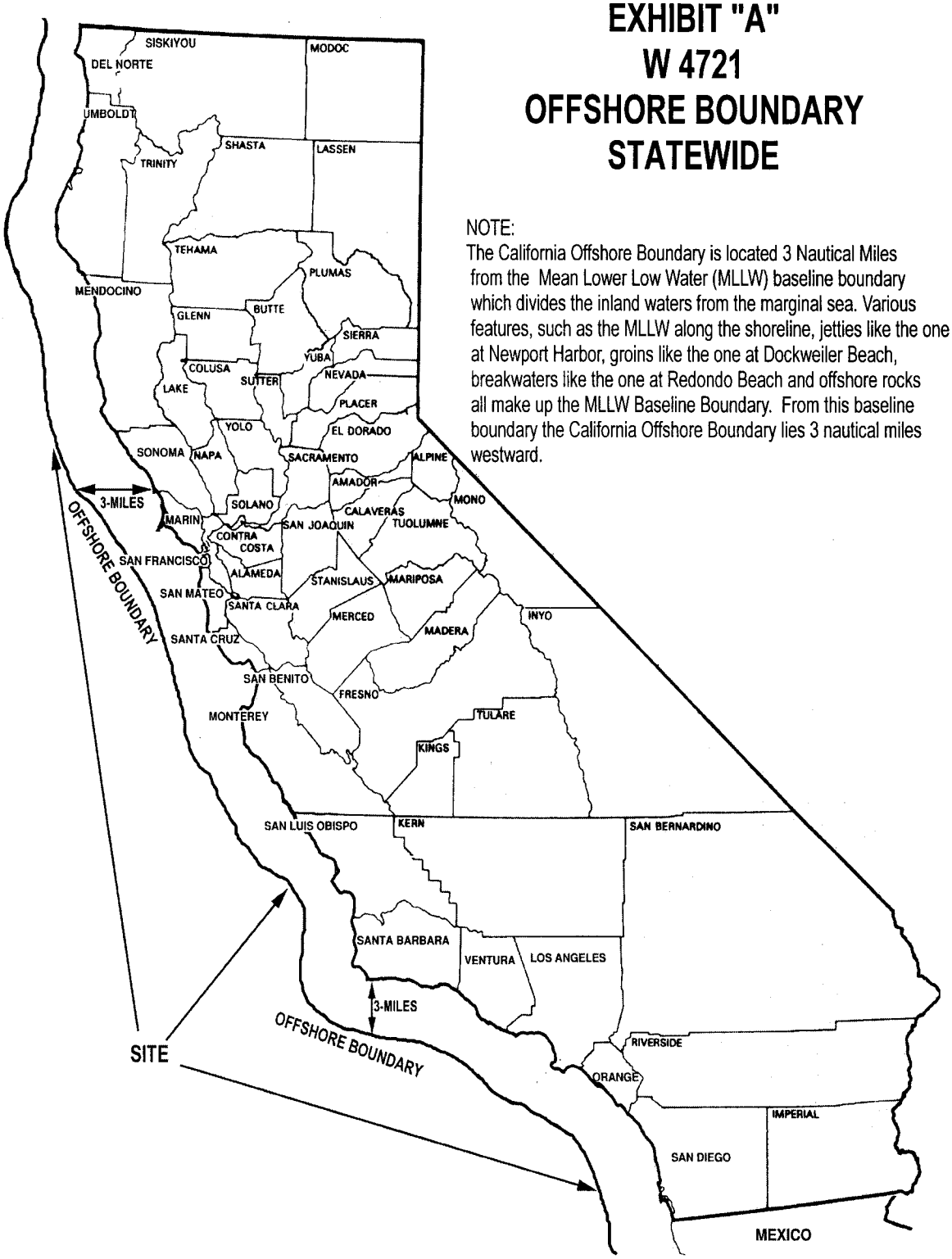
IT IS RECOMMENDED THAT THE COMMISSION:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIORNIA CODE OF REGULATIONS, SECTION 15061, AS A STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.11, SETTLEMENT OF TITLE AND BOUNDARY PROBLEMS.

AUTHORIZE THE EXECUTIVE OFFICER OF THE CALIFORNIA STATE LANDS COMMISSION TO ACCEPT AND SIGN THE UNITED STATES DEPARTMENT OF THE INTERIOR, MINERAL MANAGEMENT SERVICES OUTER CONTINENTAL SHELF BLOCK DIAGRAMS WHICH DELINEATE THE POSITION OF THE STATE OF CALIFORNIA OFFSHORE BOUNDARY (3-MILE BOUNDARY).

AUTHORIZE STAFF AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY TO COMPLETE THIS TRANSACTION, INCLUDING, BUT NOT LIMITED TO, COURT APPEARANCES, FILING AND RECORDING OF DOCUMENTS, AND SUCH OTHER STEPS AS MAY BE REQUIRED.

# EXHIBIT "A"
# W 4721
# OFFSHORE BOUNDARY
# STATEWIDE




NOTE:
The California Offshore Boundary is located 3 Nautical Miles from the Mean Lower Low Water (MLLW) baseline boundary which divides the inland waters from the marginal sea. Various features, such as the MLLW along the shoreline, jetties like the one at Newport Harbor, groins like the one at Dockweiler Beach, breakwaters like the one at Redondo Beach and offshore rocks all make up the MLLW Baseline Boundary. From this baseline boundary the California Offshore Boundary lies 3 nautical miles westward.

MMS U.S. Department of the Interior
Minerals Management Service



# Supplemental Official OCS Block Diagram

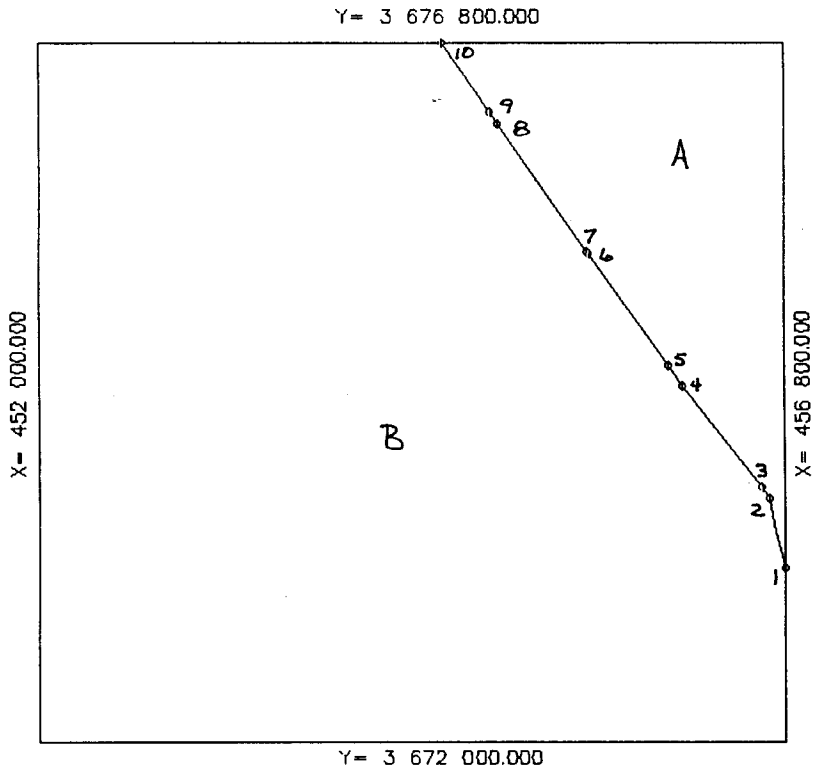
OCS Planning Area Name: Southern California
Leasing Map / OPD Name: Santa Ana

[X] State Seaward Boundary Radius: 5556.000
[ ] Limit of '8(g) Zone' Radius: _____

[ ] Feet
[X] Meters

Leasing Map/ OPD Number: NI11-08
Block Number: 6861
Datum: NAD 83/WGS 84

[ ] Previous SOBD Signature Date: _____




State Area: A = 370.457743ha

Federal 8(g) Area: B = 1933.542257ha

Boundary Disputed: _____

Federal Non-8(g) Area: _____

8(g) Disputed: _____

Federal Withdrawn Area: _____

Federal Deferred Area: _____

Total Area: 2304.000000ha

**Offshore Intersections**

| | X | Y |
|---|---|---|
| 1 | 456 800.000 | 3 673 191.698 |
| 2 | 456 699.603 | 3 673 677.224 |
| 3 | 456 646.235 | 3 673 750.593 |
| 4 | 456 144.110 | 3 674 452.893 |
| 5 | 456 047.710 | 3 674 592.163 |
| 6 | 455 529.130 | 3 675 366.313 |
| 7 | 455 521.948 | 3 675 377.062 |
| 8 | 454 947.919 | 3 676 238.315 |
| 9 | 454 891.790 | 3 676 324.237 |
| 10 | 454 587.231 | 3 676 800.000 |

**Contributing Baseline Points**

| | X | Y |
|---|---|---|
| 1-2 | 462 185.279 | 3 674 558.412 |
| 2-3 | 461 165.870 | 3 676 982.007 |
| * 3-4 | 461 165.870 | 3 676 982.007 |
| 4-5 | 460 663.745 | 3 677 684.307 |
| * 5-6 | 460 663.745 | 3 677 684.307 |
| 6-7 | 460 145.165 | 3 678 458.457 |
| * 7-8 | 460 145.165 | 3 678 458.457 |
| 8-9 | 459 571.136 | 3 679 319.710 |
| * 9-10 | 459 571.136 | 3 679 319.710 |

*** Tangent Segment**

**For the Director, MMS** _____ **Date**

**For the State** _____ **Date**

EXHIBIT "B"

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