

der line and the resurveyed meander line until the conclusion of such periods.

(Aug. 24, 1954, ch. 900, § 1, 68 Stat. 789.)

#### § 1222. Notice of opening of lands to purchase

Upon the filing of a plat of resurvey under section 1221 of this title the Secretary shall give such notice as he finds appropriate by newspaper publication or otherwise of the opening of the lands to purchase under this subchapter.

(Aug. 24, 1954, ch. 900, § 2, 68 Stat. 790.)

#### § 1223. Valid existing rights unaffected

Nothing in this subchapter shall affect valid existing rights.

(Aug. 24, 1954, ch. 900, § 3, 68 Stat. 790.)

### SUBCHAPTER XII—MOVING EXPENSES RESULTING FROM ACQUISITION OF LANDS BY SECRETARY OF THE INTERIOR

#### §§ 1231 to 1234. Repealed. Pub. L. 91-646, title II, § 220(a)(1), Jan. 2, 1971, 84 Stat. 1903

Section 1231, Pub. L. 85-433, § 1, May 29, 1958, 72 Stat. 152, related to payment of moving expenses to owners and tenants of land acquired for developments and to applications for payments.

Section 1232, Pub. L. 85-433, § 2, May 29, 1958, 72 Stat. 152, related to administration and rules and regulations.

Section 1233, Pub. L. 85-433, § 3, May 29, 1958, 72 Stat. 152, related to definitions.

Section 1234, Pub. L. 85-433, § 4, May 29, 1958, 72 Stat. 152, related to availability of appropriations. See section 4601 et seq. of Title 42, The Public Health and Welfare.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 2, 1971, see section 221 of Pub. L. 91-646, set out as an Effective Date note under section 4601 of Title 42, The Public Health and Welfare.

#### SAVINGS PROVISION

Any rights or liabilities existing under provisions repealed by section 220(a) of Pub. L. 91-646 as not affected by such repeal, see section 220(b) of Pub. L. 91-646, set out as a note under section 4621 of Title 42, The Public Health and Welfare.

### SUBCHAPTER XIII—STATE CONTROL OF NOXIOUS PLANTS ON GOVERNMENT LANDS

#### § 1241. Control of noxious plants on Government lands; State programs; terms of entry

The heads of Federal departments or agencies are authorized and directed to permit the commissioner of agriculture or other proper agency head of any State in which there is in effect a program for the control of noxious plants to enter upon any lands under their control or jurisdiction and destroy noxious plants growing on such land if—

(1) such entry is in accordance with a program submitted to and approved by such department or agency: *Provided*, That no entry shall occur when the head of such Federal department or agency, or his designee, shall have certified that entry is inconsistent with national security;

(2) the means by which noxious plants are destroyed are acceptable to the head of such department or agency; and

(3) the same procedure required by the State program with respect to privately owned land has been followed.

(Pub. L. 90-583, § 1, Oct. 17, 1968, 82 Stat. 1146.)

#### § 1242. Reimbursement of States for expenses

Any State incurring expenses pursuant to section 1241 of this title upon presentation of an itemized account of such expenses shall be reimbursed by the head of the department or agency having control or jurisdiction of the land with respect to which such expenses were incurred: *Provided*, That such reimbursement shall be only to the extent that funds appropriated specifically to carry out the purposes of this subchapter are available therefor during the fiscal year in which the expenses are incurred.

(Pub. L. 90-583, § 2, Oct. 17, 1968, 82 Stat. 1146.)

#### § 1243. Authorization of appropriations

There are hereby authorized to be appropriated to departments or agencies of the Federal Government such sums as the Congress may determine to be necessary to carry out the purposes of this subchapter.

(Pub. L. 90-583, § 3, Oct. 17, 1968, 82 Stat. 1146.)

## CHAPTER 29—SUBMERGED LANDS

### SUBCHAPTER I—GENERAL PROVISIONS

Sec.

- 1301. Definitions.
- 1302. Resources seaward of Continental Shelf.
- 1303. Amendment, modification, or repeal of other laws.

### SUBCHAPTER II—LANDS BENEATH NAVIGABLE WATERS WITHIN STATE BOUNDARIES

- 1311. Rights of States.
- 1312. Seaward boundaries of States.
- 1313. Exceptions from operation of section 1311 of this title.
- 1314. Rights and powers retained by United States; purchase of natural resources; condemnation of lands.
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- 1331. Definitions.
- 1332. Congressional declaration of policy.
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- 1337. Leases, easements, and rights-of-way on the outer Continental Shelf.
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- 1338a. Moneys received as a result of forfeiture by Outer Continental Shelf permittee, lessee, or right-of-way holder; return of excess amounts.
- 1339. Repealed.
- 1340. Geological and geophysical explorations.
- 1341. Reservation of lands and rights.
- 1342. Prior claims as unaffected.
- 1343. Repealed.
- 1344. Outer Continental Shelf leasing program.
- 1345. Coordination and consultation with affected State and local governments.

Sec.	
1346.	Environmental studies.
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1351.	Oil and gas development and production.
1352.	Oil and gas information program.
1353.	Federal purchase and disposition of oil and gas.
1354.	Limitations on export of oil or gas.
1355.	Restrictions on employment of former officers or employees of Department of the Interior.
1356.	Documentary, registry and manning requirements.
1356a.	Coastal impact assistance program.

#### SUBCHAPTER I—GENERAL PROVISIONS

##### § 1301. Definitions

When used in this subchapter and subchapter II of this chapter—

(a) The term “lands beneath navigable waters” means—

(1) all lands within the boundaries of each of the respective States which are covered by nontidal waters that were navigable under the laws of the United States at the time such State became a member of the Union, or acquired sovereignty over such lands and waters thereafter, up to the ordinary high water mark as heretofore or hereafter modified by accretion, erosion, and reliction;

(2) all lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide and seaward to a line three geographical miles distant from the coast line of each such State and to the boundary line of each such State where in any case such boundary as it existed at the time such State became a member of the Union, or as heretofore approved by Congress, extends seaward (or into the Gulf of Mexico) beyond three geographical miles, and

(3) all filled in, made, or reclaimed lands which formerly were lands beneath navigable waters, as hereinabove defined;

(b) The term “boundaries” includes the seaward boundaries of a State or its boundaries in the Gulf of Mexico or any of the Great Lakes as they existed at the time such State became a member of the Union, or as heretofore approved by the Congress, or as extended or confirmed pursuant to section 1312 of this title but in no event shall the term “boundaries” or the term “lands beneath navigable waters” be interpreted as extending from the coast line more than three geographical miles into the Atlantic Ocean or the Pacific Ocean, or more than three marine leagues into the Gulf of Mexico, except that any boundary between a State and the United States under this subchapter or subchapter II of this chapter which has been or is hereafter fixed by coordinates under a final decree of the United States Supreme Court shall remain immobilized at the coordinates provided under such decree and shall not be ambulatory;

(c) The term “coast line” means the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and

the line marking the seaward limit of inland waters;

(d) The terms “grantees” and “lessees” include (without limiting the generality thereof) all political subdivisions, municipalities, public and private corporations, and other persons holding grants or leases from a State, or from its predecessor sovereign if legally validated, to lands beneath navigable waters if such grants or leases were issued in accordance with the constitution, statutes, and decisions of the courts of the State in which such lands are situated, or of its predecessor sovereign: *Provided, however*, That nothing herein shall be construed as conferring upon said grantees or lessees any greater rights or interests other than are described herein and in their respective grants from the State, or its predecessor sovereign;

(e) The term “natural resources” includes, without limiting the generality thereof, oil, gas, and all other minerals, and fish, shrimp, oysters, clams, crabs, lobsters, sponges, kelp, and other marine animal and plant life but does not include water power, or the use of water for the production of power;

(f) The term “lands beneath navigable waters” does not include the beds of streams in lands now or heretofore constituting a part of the public lands of the United States if such streams were not meandered in connection with the public survey of such lands under the laws of the United States and if the title to the beds of such streams was lawfully patented or conveyed by the United States or any State to any person;

(g) The term “State” means any State of the Union;

(h) The term “person” includes, in addition to a natural person, an association, a State, a political subdivision of a State, or a private, public, or municipal corporation.

(May 22, 1953, ch. 65, title I, § 2, 67 Stat. 29; Pub. L. 99-272, title VIII, § 8005, Apr. 7, 1986, 100 Stat. 151.)

#### AMENDMENTS

1986—Subsec. (b). Pub. L. 99-272 inserted “, except that any boundary between a State and the United States under this subchapter or subchapter II of this chapter which has been or is hereafter fixed by coordinates under a final decree of the United States Supreme Court shall remain immobilized at the coordinates provided under such decree and shall not be ambulatory”.

#### SHORT TITLE OF 1995 AMENDMENT

Pub. L. 104-58, title III, § 301, Nov. 28, 1995, 109 Stat. 563, provided that: “This title [amending section 1337 of this title and enacting provisions set out as notes under section 1337 of this title] may be referred to as the ‘Outer Continental Shelf Deep Water Royalty Relief Act’.”

#### SHORT TITLE OF 1986 AMENDMENTS

Pub. L. 99-367, § 1, July 31, 1986, 100 Stat. 774, provided: “That this Act [enacting section 1865 of this title, amending section 1343 of this title, and repealing section 1861 of this title] may be referred to as the ‘OCS Paperwork and Reporting Act’.”

Section 8001 of title VIII of Pub. L. 99-272 provided that: “This title [amending this section and sections 1332 and 1337 of this title and enacting provisions set out as a note under section 1337 of this title] may be referred to as the ‘Outer Continental Shelf Lands Act Amendments of 1985’.”