

Map Supplement: Overview of Maine's Marine Boundaries

State Waters (3 Nautical Miles): The Submerged Lands Act of 1953 (43 U.S.C. §§1301-1315) recognized state ownership of and jurisdiction over all lands either permanently or periodically covered by tidal waters up to but not above the mean high tide line and seaward to a line three nautical miles from the coast. In Maine, a private landowner may hold title to the intertidal zone (area from the mean high to mean low tide line) subject to a "public easement" for "fishing, fowling and navigation." The State holds title to submerged lands seaward of the mean low water mark to the three mile-limit. The federal government retains the power to regulate commerce, navigation, power generation, national defense, and international affairs throughout state waters. States have the authority to manage, develop, and lease resources throughout the water column and on and under the seafloor¹.

8(g) Line: So named for the amendment that produced it in the 1978 Outer Continental Shelf Lands Act, the 8(g) Zone lies between the Submerged Lands Act (SLA) boundary line (state three-mile limit) and a line projected 3 nautical miles seaward of that line. Under the OCSLA, the federal government shares any revenues produced from oil and gas development within this three-mile zone with one or more coastal states.² A state can receive up to 27% of the Federal production royalties in this zone. In its proposed rules regarding leasing of OCS areas for alternative energy development, the Minerals Management Service has proposed to use the 8(g) line in determining federal revenue sharing obligations.

MMS (Minerals Management Service) OCS Administrative Boundary: MMS has developed informal boundaries on the OCS between adjoining coastal states for its administrative purposes. The MMS undertook this task in light of the increasing number and type of both traditional and non-traditional energy, alternative energy-related, and other activities on the OCS. In MMS' Atlantic Region (where Maine is located), all administrative boundaries have been created using the standard coastal baseline, usually considered the low water mark, and are pending final review².

Exclusive Economic Zone (200 NM): The 1982 United Nations Convention on the Law of the Sea allows each coastal nation to establish an exclusive economic zone (EEZ) adjacent to its territorial sea, extending a maximum of 200 miles seaward from the coastal baseline. Within its EEZ, the coastal nation has sovereign rights for the purpose of exploring, exploiting, conserving, and managing living and nonliving resources, whether found in ocean waters, the seabed, or subsoil, as well as jurisdiction over artificial islands or other structures with economic purposes¹. The United States has asserted a 200-mile EEZ. Resolving a dispute between the US and Canada, an international tribunal established the US-Canadian boundary off Maine's coast ("Hague Line").

¹ An Ocean Blueprint for the 21st Century: Final Report of the U.S. Commission On Ocean Policy, 2004.
U.S. Commission On Ocean Policy

² Minerals Management Service, Mapping and Boundary Branch, Lakewood, Colorado