

**MINUTE ITEM**  
This Calendar Item No. 38 was approved as  
Minute Item No. 38 by the California State Lands  
Commission by a vote of 3 to 0 at its  
12/03/07 meeting.

**Minute Item  
38**

12/03/07

**CALIFORNIA STATE LANDS COMMISSION**

**Regular Item 38:** The Commission was asked to approve a resolution proposed by the Controller supporting the United Nations Convention on the Law of the Seas. The item was approved by a vote of 3-0.

003233

MINUTE PAGE

CALENDAR ITEM

**38**

12/03/07

Consider a resolution proposed by the Controller supporting the United Nations Convention on the Law of the Sea, which would promote the United States interest in the environmental health of the oceans, secure sovereign rights over extensive marine areas, and protect national security interests.

CALIFORNIA STATE LANDS COMMISSION  
(APPLICANT)

000051

CALENDAR PAGE

000004

MINUTE PAGE

**CALIFORNIA STATE  
LANDS COMMISSION**

**EXECUTIVE OFFICE**  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202

JOHN GARAMENDI, *Lieutenant Governor*  
JOHN CHIANG, *Controller*  
MICHAEL C. GENEST, *Director of Finance*

PAUL D. THAYER, *Executive Officer*  
(916) 574-1800 Fax (916) 574-1810  
California Relay Service TDD Phone 1-800-735-2929  
Voice Phone 1-800-735-2922

**PROPOSED**

**RESOLUTION BY THE CALIFORNIA STATE LANDS COMMISSION  
SUPPORTING THE UNITED NATIONS CONVENTION ON THE LAW OF  
THE SEA, WHICH WOULD PROMOTE THE UNITED STATES'  
INTERESTS IN THE ENVIRONMENTAL HEALTH OF THE OCEANS,  
SECURE SOVEREIGN RIGHTS OVER EXTENSIVE MARINE AREAS,  
AND PROTECT NATIONAL SECURITY INTERESTS**

**WHEREAS**, California's 1,100 mile coastline, with its beautiful beaches, wild cliffs, abundant fish stocks and fragile environment is a national treasure and a valuable state resource, which is at the heart of a tourist industry that generates nearly five billion dollars in state and local taxes each year; and is central to the state's \$46 billion ocean economy; and

**WHEREAS**, the California State Lands Commission has jurisdiction over the state-owned tide and submerged lands below the mean high tide line out to three miles from the coast as well as the lands underlying California's bays and rivers; and

**WHEREAS**, the Commission is charged with managing these lands pursuant to the Public Trust Doctrine, a common law that requires these lands to be used for commerce, fishing, navigation, recreation and environmental protection; and

**WHEREAS**, protecting and improving the environmental integrity of the Pacific Ocean affects the public trust values of the lands under the Commission's jurisdiction and the utility of these lands to the public and the environment; and

**WHEREAS**, the United Nations Convention on the Law of the Sea (UNCLOS) is an international treaty ratified by more than 150 countries; and

**WHEREAS**, UNCLOS secures a member country's sovereign rights over the waters and natural resources off its shores, while also obligating the member country to protect the marine environment within its territorial seas, along its continental shelf, and on the high seas; and

**WHEREAS**, specifically, UNCLOS's marine environmental protections address marine pollution, dumping, fisheries, living resources, mining, oil and gas exploration, and scientific research; and

000362

003238

**WHEREAS**, UNCLOS provides a general governance framework that establishes a means to address future marine environmental problems not specifically addressed in the convention; and

**WHEREAS**, the United States has not ratified UNCLOS despite the fact that there is strong bipartisan support for ratification; the treaty is supported by all major environmental groups, shipping and oil interests, and current and former political figures across the ideological spectrum; and

**WHEREAS**, if the United States ratifies UNCLOS, it could, among other things, enforce its environmental laws in its exclusive economic zone. Moreover, the United States will be in a position to lead in the future application and development of UNCLOS, and develop regional and international cooperation to protect and preserve the marine environment; and

**THEREFORE BE IT RESOLVED BY THE CALIFORNIA STATE LANDS COMMISSION**, that it supports the United Nations Convention on the Law of the Sea, which would promote the United States' interest in the environmental health of the oceans, secure sovereign rights over extensive marine areas, and protect national security interests; and, be it further

**RESOLVED**, that the Commission's Executive Officer transmit copies of this resolution to the President and Vice President of the United States, to the Governor of California, to the Majority and Minority Leaders of the United States Senate, to the Speaker and Minority Leader of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

000363

CALENDAR PAGE

003236

MINUTE PAGE