§ 17.107 Facilitating enforcement.

Water vehicles operating in manatee sanctuary or refuge waters are subject to boarding and inspection for the purpose of enforcing the Acts and these regulations.

(a) The operator of a water vehicle shall immediately comply with instructions issued by authorized officers to facilitate boarding and inspection of the water vehicle.

(b) Upon being approached by an authorized officer, the operator of a water vehicle shall be alert for signals conveying enforcement instructions.

(c) A water vehicle signaled for boarding shall:

(1) Guard channel 16, VHF-FM, if equipped with a VHF-FM radio;

(2) Stop immediately and lay to or maneuver in such a manner as to facilitate boarding by the authorized officer and his or her party;

(3) When necessary to facilitate the boarding, provide a safe ladder, manrope, safety line and illumination of the ladder; and

(4) Posting of the protection area with signs clearly marking its boundaries.

(c) Simultaneously with the publication required by paragraph (b) of this section, the Director shall publish the same notice in the Federal Register. If simultaneous publication is impractical, because of the time involved or the nature of a particular emergency situation, failure to publish notice in the Federal Register simultaneously shall not delay the effective date of the emergency establishment. In such a case, notice shall be published in the Federal Register as soon as possible.

(d) No emergency establishment of a protection area shall be effective for more than 120 days. Termination of an emergency establishment of a protection area shall be accomplished by publishing notice of the termination in the Federal Register and in a newspaper of general circulation in each county, if any, in which the protection area lies.

(e) Within 10 days after establishing a protection area in accordance with this section, the Director shall commence proceedings to establish the area in accordance with §17.103.

§ 17.106 Emergency establishment of protection areas.

(a) The Director may establish a manatee protection area under the provisions of paragraphs (b) and (c) of this section at any time he determines there is substantial evidence that there is imminent danger of a taking of one or more manatees, and that such establishment is necessary to prevent such a taking.

(b) The establishment of a manatee protection area under this section shall become effective immediately upon completion of the following requirements:

(1) Publication of a notice containing the information required by §17.103 of this section in a newspaper of general circulation in each county, if any, in which the protection area lies; and

(2) Posting of the protection area with signs clearly marking its boundaries.

(c) Simultaneously with the publication required by paragraph (b) of this section, the Director shall publish the same notice in the Federal Register. If simultaneous publication is impractical, because of the time involved or the nature of a particular emergency situation, failure to publish notice in the Federal Register simultaneously shall not delay the effective date of the emergency establishment. In such a case, notice shall be published in the Federal Register as soon as possible.

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(e) Within 10 days after establishing a protection area in accordance with this section, the Director shall commence proceedings to establish the area in accordance with §17.103.

§ 17.107 Facilitating enforcement.

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(b) Upon being approached by an authorized officer, the operator of a water vehicle shall be alert for signals conveying enforcement instructions.

(c) A water vehicle signaled for boarding shall:

(1) Guard channel 16, VHF-FM, if equipped with a VHF-FM radio;

(2) Stop immediately and lay to or maneuver in such a manner as to facilitate boarding by the authorized officer and his or her party;

(3) When necessary to facilitate the boarding, provide a safe ladder, manrope, safety line and illumination of the ladder; and
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(4) Take such other actions as may be necessary to ensure the safety of the authorized officer and his or her party and to facilitate the boarding and inspection.

(d) It is unlawful for any person to assault, resist, oppose, impede, intimidate, or threaten any Shores Appraiser’s Office; thence N. 35° 01′ 41″ E for 461.07 feet to a 10-inch diameter concrete monument marking the Point of Beginning; Then go S 71° 48′ 38″ W for 117.87 feet to a 10-inch diameter concrete monument with an attached buoy; Then continue S 37° 53′ 01″ W for 5 feet more or less to the mean high water line of Buzzard Island; Then follow said mean high water line northerly and westerly to a point lying S 10° 05′ 38″ E of the point of beginning; Then go N 10° 05′ 38″ W for 5 feet more or less to the point of beginning; Containing 18.0 acres, more or less.

(5) A tract of submerged land, lying in Section 23, Township 18 South, Range 17 East in Citrus County, Florida, more particularly described as follows: For a point of reference, commence at the southwestern corner of Lot 7 of said Paradise Isle Subdivision; containing 3.4 acres, more or less.

§ 17.108 List of designated manatee protection areas.

(a) Manatee sanctuaries. The following areas are designated as manatee sanctuaries. All waterborne activities are prohibited in these areas during the period November 15–March 31 of each year. The areas which will be posted are described as follows:

(1) That part of Kings Bay, Crystal River, Citrus County, within T. 18 S., R. 17 E., Talahassee Meridian; located in SW¼ fractional section 28, more particularly described as follows:

Beginning at Corner 1 (N–1,653,359/E–306,719 Florida Coordinate System, West Zone, a point on the shoreline of Kings Bay near the southwest corner of Lot 9 as accepted on a plat by the Department of the Interior, General Land Office, dated January 10, 1828; thence easterly, along said shoreline, approximately 1240 feet to Corner 2 (N–1,653,762/E–309,641) a point; thence S. 56° 01′ 16″ W, across open water, 776.49 feet to Corner 3 (N–1,653,339/E–308,990) a point; thence N. 32° 03′ 07″ W, across open water, 142.26 feet to the point of beginning, containing 3.41 acres, more or less, to be known as the Banana Island Sanctuary.

(2) That part of Kings Bay, Crystal River, Citrus County, Florida, within T. 18 S., R. 17 E., Talahassee Meridian; located in SW¼ fractional section 28, more particularly described as follows:

Beginning at Corner 1 (N–1,653,359/E–308,990) Florida Coordinate System, West Zone, a point on the shoreline of Kings Bay, said point being the northwest corner of Lot 31 Sunset Shores Addition to Woodward Park (Plat Book 2, page 140 Citrus County Property Appraiser’s Office); thence N. 35° 01′ 41″ W, across open water, 439.10 feet to Corner 2 (N–1,653,043/E–309,144) a point; thence N. 67° 23′ 26″ E, across open water, 503.45 feet to Corner 3, a point on the shoreline of Kings Bay said point also being a corner in the northerly boundary line of Lot 21 in said subdivision; thence southwesterly along said shoreline and the northerly boundary of Lots 21–31, including a canal, approximately 920 feet to the point of beginning, containing 5.62 acres, more or less, to be known as the Sunset Shores Sanctuary.