

- 2,300 for private vessels (25 per day multiplied by 92 days).

TABLE 1.—SUMMARY OF VESSEL QUOTAS FOR GLACIER BAY, MAY 1–SEPTEMBER 30<sup>1</sup>

Vessel class	Daily vessel quota		Seasonal-use days	
	June–Aug.	May and Sept.	June–Aug.	May and Sept.
Cruise ship <sup>1</sup> .....	2	2	<sup>4</sup> 139	<sup>5</sup> 92
Tour vessel <sup>1</sup> .....	3	3	276	183
Charter vessel <sup>2</sup> .....	6	( <sup>3</sup> )	552	( <sup>3</sup> )
Private vessel <sup>2</sup> .....	25	( <sup>3</sup> )	2,300	( <sup>3</sup> )

<sup>1</sup> Cruise ships and tour vessels are limited to the daily vessel quota year-round.

<sup>2</sup> Charter and private vessels are not subject to quotas from September through May.

<sup>3</sup> No limit.

<sup>4</sup> Potentially up to 184.

<sup>5</sup> Potentially up to 122.

### Vessel Operating Requirements

The NPS is revising operating requirements, as described below. These revisions are intended to protect park resources and values, improve visitor experience, and simplify regulations.

**Permitting Procedures.** Permits will be issued to a designated individual for a specific vessel over a specific period of time, rather than issued to a vessel.

The exemption for private vessels based in Bartlett Cove to enter and exit Glacier Bay (these are not currently counted as daily entries) without a permit will be eliminated entrance to Glacier Bay.

Up to 10 permits may be issued to private vessels on “short-notice” daily. This number may be adjusted annually through use of the park compendium. These permits will be issued, on a space available basis, to any individual who requests a permit within 48 hours of entering Glacier Bay.

#### Speed Restrictions.

- The superintendent may impose a 13-knot speed limit, as necessary, for motor vessels greater than or equal to 262 feet (80 meters) in length throughout Glacier Bay because of the presence of humpback whales. Park Service staff will monitor whale abundance, movements, and distribution, and provide this information to the park superintendent, who will determine whether to set a 13-knot speed limit for vessels of this length or greater.

- From May 15 through September 30, in lower Bay whale waters, operating a motor vessel at more than 20 knots through the water will be prohibited.

- At any time of year in waters of Glacier Bay or Dundas Bay, the following will be prohibited: operating a motor vessel at more than 13 knots through the water when and where the superintendent has designated a

maximum speed of 13 knots because of the presence of whales.

**Whale Water Geographic Locations.** Whale waters would be designated within the current lower Glacier Bay waters from May 15 through September 30. As authorized in current regulations, the superintendent may designate temporary whale waters and impose motor vessel speed restrictions in whale waters in any portion of Glacier Bay or Dundas Bay.

**Measurement of Vessel Speed.** Vessel speed will be measured as “through the water,” the same as specified in current regulations.

**Closed Waters, Islands, and Other Areas.** No additional waters, islands, or other areas will be closed to all motor vessels under this decision.

**Non-Motorized (Closed) Waters for Cruise Ships.** Additional waters closed to cruise ships are Beardslee Entrance and the entrance to Adams Inlet in Glacier Bay.

**Non-Motorized (Closed) Waters for Tour Vessels.** Additional waters closed to tour vessels are Beardslee Entrance and the entrance to Adams Inlet in Glacier Bay.

**Ferry Vessel Operating Requirements.** Per section 127, Public Law 105–83, the ferry is restricted to the sole purpose of accessing the Bartlett Cove dock. The ferry will be subject to speed, distance from coastlines, and other operating requirements common to all vessel types. The ferry may not deviate from a direct course between the mouth of Glacier Bay and Bartlett Cove.

**Vessel Routes.** No vessel routes will be established except in designated whale waters (*i.e.*, the lower Bay whale waters), and following language in the current regulations will remain unchanged: “Except on vessels actually fishing as otherwise authorized by the superintendent or vessels operating solely under sail, while in transit, operators of motor vessels over 18 feet

in length will in all cases where the width of the water permits, maintain a distance of at least one nautical mile from shore, and, in narrower areas will navigate in mid-channel: Provided, however, that unless other restrictions apply, operators may perpendicularly approach or land on shore (*i.e.*, by the most direct line to shore) through designated whale waters.”

#### Harbor Seal Vessel Approach

**Distance in Johns Hopkins Inlet.** This will remain unchanged from the current regulations. That language is as follows: “The following is prohibited: operating a vessel or a seaplane on Johns Hopkins Inlet waters south of 58 deg. 54.2 latitude (an imaginary line running approximately due west from Jaw Point), within 0.25 nautical mile of a seal hauled out on ice; except when safe navigation requires, and then with due care to maintain the 0.25 nautical mile distance from concentrations of seals.” This regulation will continue to apply from July 1 through August 31. (Note: In accordance with the current regulations, which will not be changed with this decision, Johns Hopkins Inlet waters are closed to cruise ships from May 1 to August 31 and to all vessels from May 1 to June 30.)

**Deviation from Vessel Operating Requirements.** Deviation from vessel operating requirements may be made when the safety of passengers or the vessel is immediately threatened. Where possible, operators shall notify the Park Service before the deviation. In all cases, notifications must be made as soon as it is safe to do so.

Implementation of the decision will require promulgation of regulations, revising 36 CFR 13.65. Draft regulations are planned to be published for public comment in 2004, and final regulations are anticipated by early 2005.