§ 13.1158 Prohibitions.

(a) Operating a motor vessel in Glacier Bay without a required permit is prohibited.

(b) Violating a term or condition of a permit or an operating condition or restriction issued or imposed pursuant to this chapter is prohibited.

(c) The superintendent may immediately suspend or revoke a permit or deny a future permit request as a result of a violation of a provision of this chapter.

§ 13.1160 Restrictions on vessel entry.

The superintendent will allow vessel entry in accordance with the following table:

<table>
<thead>
<tr>
<th>Type of vessel</th>
<th>Daily vessel quotas (DVQ)</th>
<th>Period covered by DVQ</th>
<th>Seasonal vessel quota (SVQ)</th>
<th>Period covered by SVQ</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cruise ship</td>
<td>2</td>
<td>Year-round</td>
<td>Up to 184</td>
<td>June 1–August 31.</td>
</tr>
<tr>
<td>Tour vessel</td>
<td>3</td>
<td>Year-round</td>
<td>N/A</td>
<td>May and September.</td>
</tr>
<tr>
<td>Charter vessel</td>
<td>6</td>
<td>Jun 1–Aug 31</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Private vessel</td>
<td>25</td>
<td>Jun 1–Aug 31</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Passenger ferry</td>
<td>1</td>
<td>Year-round</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

NOTE: Cruise ships and tour vessels are limited to the daily vessel quota year-round. Charter and private vessels are not subject to quotas from September through May.

(a) The Director will reduce the vessel quota levels for any or all categories of vessels in this subpart as required to protect the values and purposes of Glacier Bay National Park and Preserve. The director will make these reductions based on the controlling biological opinion issued by the National Oceanic and Atmospheric Administration Fisheries Service under section 7 of the Endangered Species Act, applicable authority, and any other relevant information.

(b) The superintendent will annually determine the cruise ship quota. This determination will be based upon applicable authorities, appropriate public comment and available scientific and other information. The number will be subject to the maximum daily vessel quota of two vessels.

(c) From June 1 through August 31, the superintendent will designate one private vessel permit from the daily quota of 25 as a transit permit. This transit permit may be used only to directly exit Glacier Bay from Bartlett Cove and return directly to Bartlett Cove. The superintendent may establish application procedures and operating conditions. Violating operating conditions is prohibited. This paragraph will cease to have effect on November 30, 2011.

(d) Nothing in this section will be construed to prevent the superintendent from taking any action at any time to protect the values and purposes of Glacier Bay National Park and Preserve.

§ 13.1170 What are the rules for operating vessels?

(a) Operating a vessel within 1/4 nautical mile of a whale is prohibited, except for a commercial fishing vessel authorized under this subpart that is actively trolling, setting, or pulling long lines, or setting or pulling crab pots.

(b) The operator of a vessel inadvertently positioned within 1/4 nautical mile of a whale must immediately slow the vessel to ten knots or less, without shifting into reverse unless impact is likely. The operator must direct or maintain the vessel on as steady a course as possible away from the whale until at least 1/4 nautical mile of separation is established. Failure to take such action is prohibited.

(c) The operator of a vessel or seaplane positioned within 1/2 nautical
§ 13.1178 Closed waters, islands and other areas.

The following are prohibited:

(a) Operating a vessel or otherwise approaching within 100 yards of South Marble Island; or Flapjack Island; or any of the three small unnamed islets approximately one nautical mile southeast of Flapjack Island; or Eider Island; or Boulder Island; or Geikie Rock; or Lone Island; or the northern three-fourths of Leland Island (north of 59°39.1′ N latitude); or any of the four small unnamed islands located approximately one nautical mile north (one island), and 1.5 nautical miles east (three islands) of the easternmost point of Russell Island; or Graves Rocks (on the outer coast); or Cormorant Rock, or any adjacent rock, including all of the near-shore rocks located along the outer coast, for a distance of 1½ nautical miles northwest of the mouth of the glacial river at Cape Fairweather.

(b) Operating a vessel or otherwise approaching within 100 yards of a