

vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before May 17, 2002.

ADDRESSES: Comments should refer to docket number MARAD-2002-12092. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW, Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-2307.

SUPPLEMENTARY INFORMATION: Title V of Pub. L. 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-build Requirement:

(1) Name of vessel and owner for which waiver is requested. *Name of*

vessel: CLEOPATRA. *Owner:* Robert S. Galloway.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* "length: 76', breadth: 18.7', depth: 9'. The tonnages are 85 gross and 68 net."

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* "This vessel will operate for short periods of time with captain, crew, and 12 or less passengers on harbor cruises and corporate executive sightseeing tours, Bed/Breakfast, burial at sea, bay charters, Long Beach, Channel Islands, Newport Harbor, and the Pacific Ocean between Pt. Conception and San Diego and out to Catalina Island."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1961. *Place of construction:* Sydney, Australia.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* "The impact will be negligible as we will address the charter needs of smaller groups than most of the vessels in our area. Most of the commercial passenger vessels have capacities of 50 to 500 passengers."

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* "There is no negative impact on our U.S. shipyards and we anticipate that all of the repair work to this vessel will be done in U.S. shipyards. A majority of the components including engines, generators, navigation equipment, propellers, running gear, etc. are all U.S. built."

Dated: April 12, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD-2002-12094]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel FRITHA.

SUMMARY: As authorized by Pub. L. 105-383, the Secretary of Transportation, as represented by the Maritime

Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before May 17, 2002.

ADDRESSES: Comments should refer to docket number MARAD-2002-12094. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW, Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202-366-2307.

SUPPLEMENTARY INFORMATION: Title V of Pub. L. 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver

application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel: FRITHA. Owner: Philip R. Fuller.*

(2) Size, capacity and tonnage of vessel. *According to the applicant: "Register length 57 ft., gross tonnage 39 * * * capacity 15."*

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant: "The vessel will be used for charter and sail training on the eastern seaboard from Florida to Maine."*

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction: 1985. Place of construction: Auckland, NZ.*

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant: "FRITHA is a unique vessel in that she is a brigantine of small stature with the capability to offer square sail training to a small number of people of all ages. There are only two other vessels of this type on the East Coast and both belong to educational institutions. FRITHA's participation in classic sailing events will only strengthen the already growing demand for the Tall Ship experience. Existing operators do hourly trips for great numbers of people on board. FRITHA will do weekly charters for 6 guests and daily sail training for up to 12."*

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant: "Positive impact because the vessel will require routine maintenance and repairs."*

Dated: April 12, 2002.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD-2002-12091]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel OSPREY.

SUMMARY: As authorized by Pub. L. 105-383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before May 17, 2002.

ADDRESSES: Comments should refer to docket number MARAD-2002-12091. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW, Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

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properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in 388.4 of MARAD's regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-build Requirement

(1) Name of vessel and owner for which waiver is requested.

Name of vessel: OSPREY. Owner: John and Daalbaaleh Hutchison"

(2) Size, capacity and tonnage of vessel. *According to the applicant: "The Vessel is 35 feet 3 inch in overall length 12 feet in breadth. She is designed to sleep 6 persons with two double berths and two singles * * * I have calculated the tonnage * * * to be 13 gross tons."*

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant: "I intend to use this vessel for ecotourism charter work out of Kachemak Bay, Homer, Alaska. Charters will include Kachemak Bay, Cook Inlet, and will be limited to the inland waters of the Kenai Peninsula Borough Alaska."*

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction: 1980. Place of construction: Richmond B.C. Canada.*

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant: "The charter boat operations based in Homer Alaska are primarily power driven fishing charters with the exception of "Glacier Voyages" who are operating a 58' motorsailer for six passengers and a crew of 3. My 35" sailboat in comparison is limited in size, speed and accommodations * * * I believe that the sailing experience offered on my 35" sailboat will attract a distinctly different clientele than those who charter a 58' motorsailer that is fully crewed and offering luxury accommodations. Neither of these sailing operations impacts the fishing charters."*

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant: "Since this is a used boat manufactured in 1980, of a model/design not manufactured by U.S. companies, I feel that my purchase of this vessel had no negative impact on U.S. shipyards. In fact it seems my initial investment in this sailboat has created a considerable cash flow from me to U.S. companies who supply marine equipment."*

Dated: April 12, 2002.