

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:* CAPE ROSE. *Owner:* Sail into Wellness, Inc.

(2) Size, capacity and tonnage of vessel. According to the applicant: "52' on deck, 15.9' beam, 24 net tons"

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "Experiential sail training for small groups on a traditional gaff-rig schooner, dockside attraction, occasional charters, overnight accommodations, on-board receptions." "Coastwise USA and territories, while cruising North in summer, South in winter."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1987. *Place of construction:* Cape Town, South Africa.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "There is no perceivable threat of competition to existing operations due to the cruising nature of this vessel and its intended limited operations."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "This vessel has contributed to the economic well-being of various U.S. boatyards and shipyards over the course of its present ownership. There is no perceivable adverse impact to other operations."

Dated: February 5, 2002.

By Order of the Maritime Administrator.

**Murray A. Bloom,**

*Acting Secretary, Maritime Administration.*

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**DEPARTMENT OF TRANSPORTATION**

**Maritime Administration**

[Docket Number: MARAD-2002-11474]

**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 EAGLE.

**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 March 13, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-11474. 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:* EAGLE. *Owner:* Deborah and Philip Hutmacher.

(2) Size, capacity and tonnage of vessel. According to the applicant: "Length—58 feet, Beam—14 feet, Weight—32 ton"

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "To allow the Eagle to be charter by business associates, friends and relatives for private parties a couple of times per month during the warmer months." "The Eagle is used on Lake Union (moored), Lake Washington, Puget Sound, San Juan Islands, and Canadian Gulf Islands."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1977. *Place of construction:* Chung Wah Boat Yard, Taipei, Taiwan.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "There are other charters in the area. However, there will be little or no impact. The use would be once or twice a month and mostly with people already known and word of mouth. This is not our principle income or business"

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "...little effect on US Shipyards. Passengers will be loading from marinas or public docks. The additional charting will not affect maintenance."

Dated: February 5, 2002.

By Order of the Maritime Administrator.

**Murray A. Bloom,**

*Acting Secretary, Maritime Administration.*

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**DEPARTMENT OF TRANSPORTATION**

**Maritime Administration**

[Docket Number: MARAD-2002-11476]

**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