

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: ELIZA. Owner: Herbert W. Goodall, III.

(2) Size, capacity and tonnage of vessel. According to the applicant: "Gross 68 Tons, Net 65 Tons, Length 75.5', Breadth 20.6', Depth 8.2'."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant:

ELIZA operates as a term charter vessel, taking eight guests or fewer, on one week or longer cruises, mainly in New England, but also south from New England as far as South Florida.

As above, the main areas of operation for ELIZA are the Atlantic seaboard states of New England during the months of June through September: New York, Connecticut, Massachusetts, New Hampshire and Maine. But, the waters of New Jersey, Delaware, Virginia, North Carolina, South Carolina, Georgia and Florida come into play from time to time as the vessel runs north and south. The vessel's main winter operations area is the Eastern Caribbean, so the states south of New England come into play solely during the yacht's semi-annual delivery between her main theaters of operation.

(4) Date and Place of construction and (if applicable) rebuilding. Date of construction: 1981. Place of construction: Poole, Dorset, United Kingdom.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "ELIZA is not engaged in the day charter business so the impact on other commercial passenger vessels would be minimal to non-existent."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "There are no shipyards, that I know of, building vessels like or even similar to ELIZA."

Dated: March 2, 2001.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket Number: MARAD-2001-9050]

### 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 RUFFINIT.

**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 April 9, 2001.

**ADDRESSES:** Comments should refer to docket number MARAD-2001-9050. 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: RUFFINIT. Owner: KMM, an Alaska Partnership, composed of William McGrew, Dennis Kelly, and John McGrew.

(2) Size, capacity and tonnage of vessel. According to the applicant: "The overall length of the "RUFFINIT" is 48'4": with the load length waterline being 43'. The gross tonnage of the vessel is 43, with the net tons being 34. The displacement is approximately 39,500 lbs. It is my understanding the tonnage was measured pursuant to 46 U.S.C. 14502."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "The "RUFFINIT" will be docked and operated out of the small boat harbor at the port of Valdez, Alaska. The intended use of this vessel will be to transport not more than 12 passengers, along with kayakers, to various scenic bays and inlets within Prince William Sound. It is contemplated that most of the trips will be day trips, leaving Valdez in the morning and returning to Valdez that same evening. The "RUFFINIT" will serve as a "base of operations" for the kayakers once we reach our destination within Prince William Sound. The Kayakers will launch from the "RUFFINIT" and then return to the ship for lunch, rest, take advantage of the rest room facilities on board, or perhaps even have a hot shower. Plans are also being developed to have an overnight or perhaps a somewhat longer trip if the passengers so desire. This vessel will not be used as a charter vessel for fishing."

(4) Date and Place of construction and (if applicable) rebuilding. Date of

construction: 1985. Place of construction: Tien Mou Tapel, Taiwan, Republic of China.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "I believe that the described operations will have minimal effect on other commercial vessel operators in the Valdez Alaska area. In fact, I believe that by granting this waiver, several business owners will directly benefit from the granting of the waiver. The "RUFFINIT" is presently the largest vessel docked at the Valdez small boat harbor. It is uniquely suited because of its size and appointments to transport a number of kayaks and passengers within Prince William Sound in a manner and style that is not presently available in this area. At the present time most kayak operators in the Valdez area are using much smaller vessels with little or none of the facilities found on our 49 ft. vessel. We have been encouraged to request this waiver by several of these small kayak operators in the Valdez area. They foresee increased business opportunity from being able to utilize our vessel and thereby offer a more "first class" and perhaps overnight kayaking experience to visitors to our state from the lower 48. To my knowledge, there is presently very limited opportunity in the Valdez area to book an overnight or longer kayaking trip utilizing the "First Class" type of accommodation that we contemplate having to offer. We are currently evaluating this option to determine if this type of operation is in demand and economically feasible."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "I believe that our operation will have little or no effect on U.S. Shipyards. No one would build a 49 ft. vessel to go into this type of business for it would just be too expensive in relationship to the return. Only an existing, older and less expensive vessel is justified in this type of endeavor."

Dated: March 2, 2001.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

**Docket Number:** [MARAD-2001-9051]

#### 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 OCKHAM'S RAZOR.

**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 April 9, 2001.

**ADDRESSES:** Comments should refer to docket number MARAD-2001-9051. 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: OCKHAM'S RAZOR. Owner: David M. Ahlers.

(2) Size, capacity and tonnage of vessel. According to the applicant: "11.7 GT (Measured according to 46 CFR 69.209 (a) "vessel designed for sailing—GT=.5LBD.100" L=34'5"; B=11'6"; D=5'11")"

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "Sailing instruction for not more than 12 passengers on Cayuga Lake (New York State Finger Lake)"

(4) Date and Place of construction and (if applicable) rebuilding. Date of construction: 1983. Place of construction: Dorion, Quebec, Canada J7V 5V8.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant:

No negative impact is expected on current sailing instruction operations on Cayuga Lake which are very limited to non-existent. I believe a positive impact on sailing education and safety is expected if this waiver is granted. A number of individuals, including the management of the Ithaca Yacht Club, have indicated that a formal course in the practical aspects of handling a cruising sailboat, particularly if a spouse is incapacitated or falls overboard or if weather conditions deteriorate suddenly, is needed locally and would be well received. As a life long sailor—both cruising and competitive racing, an experienced educator—Cornell University Graduate School professor and adult professional educator and a recent recipient of a 100 GT master Coast Guard License with a Sailing Endorsement, I believe I could successfully offer this type of course.

For the past 18 years I have been sailing the Tanzer 10.5 for which this waiver is