

### Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. Name of vessel: MAGIC DAULPHIN. Owner: Captain Stephen L. Flowers.

(2) Size, capacity and tonnage of vessel. According to the applicant: "24 GRT, 21 NRT, Length: 51.0 ft., Breadth: 14.7 ft., Depth: 6.5 ft."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "This vessel will be used for charters on the Florida coast along the Gulf of Mexico and Atlantic Ocean based in Fort Myers Beach."

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

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "There are currently six to eight sailboat charters operating in this region based in Fort Myers Beach. Because of the ever increasing number of tourist flocking to this area each year, minimal or no impact is expected for these existing sailboat charters."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "The vessel for which the waiver is requested will be docked at a local marina and all repairs and maintenance will be performed locally as well as supplies purchased locally creating a positive effect on local shipyards and vendors. In addition, crew will be hired as needed from the local area."

Dated: July 18, 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-2002-12875]

#### 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 SHEARWATER.

**SUMMARY:** As authorized by Public Law 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 Public Law 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 August 23, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-12875. 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 Public Law 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: SHEARWATER. Owner: Caribe Yankee LLC.

(2) Size, capacity and tonnage of vessel. According to the applicant: "11 tons; 8 passengers; 48' x 26' x 5½'-draft."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "Personal/charter in Eastern Seaboard of USA—Marine to FLorida."

(4) Date and Place of construction and (if applicable) rebuilding. Date of construction: 1992. Place of construction: Jeantot Marine, France.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "Should not be much. We are a small charterer in off-market areas; less than 20 charters per year."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "We use U.S. yards for annual and regular service and maintenance needs."

Dated: July 18, 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-2002-12890]

#### 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 TORTUGA.

**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.