

**Florida International University
Boating Safety Committee Meeting**

February 03, 2020

Attendance at MMC: Dr. Joel Trexler, Dr. James Fourqurean, Dr. Piero Gardinali, Dr. Evelyn Gasier, Chris Grayson, Rafael Gonzalez-Collazo, Aarin Conrad Allen

Call-in: Roger Garcia, Bill Chamberlain

Start: 1:07pm

Boating Activities at Rookery Bay National Estuarian Research Reserve (RBNERR)

- 8 FIU employees are presently employed at RBNERR
- For over 30-years RBNERR has been operating vessels taking school-aged children and summer camp programs out onto the waterways around RBNERR
- FIU employees are currently engaging in activities that are considered by the United States Coast Guard (USCG) as what should be deemed a charter (see Rookery Bay - USCG determination letter)
- FIU employees are not involved in safety sensitive positions, however as described by the USCG would be considered crew as they are paid employees on board (see FIU Policy #1710.349)
- Vessels at RBNERR do not maintain Research Vessel (R/V) status, and do not have USCG inspections performed annually
- RBNERR recently received USCG determination letter stating they are not in compliance with USCG regulations
 - Determination letter took 8-months to be addressed by USCG
- Alternatives suggested:
 - undergo USCG inspection and operate vessels like a charter with USCG-licensed captain, captain and crew participating in drug testing consortium, and annual inspection as required by USCG law;
 - operate as an uninspected passenger vessel (UPV), taking up to 6 passengers at a time with USCG-OUPV licensed captain, captain and crew participating in drug testing consortium;
 - obtain research vessel designation, do not take individuals under 18-years of age, and participate in research activities only;
 - obtain USCG exemption letter specific to RBNERR operations
- Current concerns:
 - What is FIU's ongoing liability with this involvement?
 - How do we address this situation for FIU employees and protect FIU interests?
 - What steps is RBNERR taking to address the current problems stated in USCG determination letter?
 - Concerns with current issues such as this are not addressed in current version of the FIU-Boating Safety Manual (international trips, other organizations, etc.)
- Prescribed method to resolve situation:
 - Seek information from FIU-legal counsel to determine level of FIU's liability as the issue pertains to FIU employees, but not FIU vessels or personnel in safety sensitive positions
 - Mr. Allen will work with Dr. Fourqurean to address the situation with RBNERR; methods dependent on recommendation from legal counsel

- Make recommendations to RBNERR to fix current situation (options described above: Alternatives suggested)
 - Remove FIU-employees until RBNERR is compliant
 - Allow FIU-employees to remain within a timely manner for RBNERR to address issues before removing FIU-employees from participation in these activities
- Next course of action pending more information from FIU legal counsel

Boating Advanced First Aid (BAFA) Box Requirements for FIU Employees Onboard Other Organization's Vessels

- BAFA Boxes are expensive commodities that are required onboard ALL FIU-owned vessels as described in the FIU-Boating Safety Manual
- There are not enough resources to cover these to be required in ALL circumstances, such as international expeditions or onboard other organizations vessels
- While useful in these situations, mandating these on other vessels or international trips can only be applicable in certain situations
- If FIU-boaters are following the laws required by local governments (not necessarily the USCG), BAFA boxes are not mandated in these circumstances, although consideration of bringing BAFA boxes in if, when and where they can be used is important
- BAFA boxes are not required on vessels owned by other organizations
- The FIU-Boating Safety Manual needs to be modified to address these recommendations made

FIU-Boating Safety Manual

- The boating safety manual is currently undergoing a large overhaul of syntax to remedy the situations described above
- Dr. Gardinali also brought up concerns regarding the FIU-Kayaking requirements
- Mr. Allen will address these concerns moving forward with these edits of the FIU-Boating Safety Manual
- Current revisions are presently being reviewed by FIU-legal counsel

Addressing Concerns for Researchers Utilizing FIU-Vessels When Performing Work in the Field Overnight

- Recently, a situation arose regarding FIU researchers looking to perform research in the field that included a plan to stay overnight
 - These trips would utilize FIU-Vessels as transportation to the field site, and transportation back the following day(s) later
- These specifics currently have no prescribed recommendations from FIU-Environmental Health & Safety, but have been referred to FIU-Safety Officer Wilfredo Alvarez for review
- Current recommendations made are at the departmental level for having researchers have in place a plan in case of emergency and special circumstances that may arise while in the field
- The boating safety program is not assuming liability in these cases as operations are no longer involve the activities and usage of FIU-vessels, but wants to assure all information is covered in case of an emergency

- Moving forward, plans such as this will be addressed on a case-by-case basis working with each department to address all concerns while researchers are in the field

End: 2:04pm