

DRAFT HSRP comments on the Data Licensing Request from OCS March 4, 2022, Version 1

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This paper is in response to the request for comment about the proposed Office of Coast Survey (OCS) implementation of Data Licensing.

The HSRP received the request in December, and members were briefed by OCS and NOAA general counsel and discussed the proposal at several of the Planning and Engagement Working Group Meetings. The goals of the licensing implementation are supported by the HSRP and note it meets the NOAA Data Strategy goal of sharing data to promote maximum utilization of data.

HSRP members raised some comments during discussions that are noted below for OCS to consider during the licensing implementation.

1. The primary goal is to ensure easy access and usability of data, and to enhance the value of the national investment in data. It is important this applies to both contributors and users of the bathymetry data.
2. It is important that data licensing does not in any way discourage contributions because of the additional or perceived overhead created by the implementation. The data licensing should facilitate and simplify the process for all government, commercial and academic contributions.
3. The licensing requirements should advance the ingestion of the data, and should not further delay the separate efforts of data progressing to review, quality assessment and publishing.
4. The implementation of the data licensing should also meet the objective of the Data Strategy. It should leverage partnerships with strategic partners that provide the tools used to generate the bathymetry data and to incorporate the licensing metadata at source. This includes manufacturers of mapping systems, and commercial and academic software providers. The licensing should be simple but also account for the variety of data ownerships. It should support both the traditional types of bathymetric data and the evolving operators that provide data as a service.
5. The OCS bathymetry data are an extremely valuable asset that is used extensively by commercial and other users in offshore planning, and development projects. The implementation of the licensing proposed should enhance the use of these data for such purposes. There should also be a simple and clear way for users of the OCS data to discover data that are available based on the various licensing levels. If the data are restricted, a user should be able to identify the source and directly negotiate use independent of OCS.
6. The licensing should encourage economic opportunities by simplifying the commercial use of the data. For those that will be adding value to the data, it should avoid the current practice of time-consuming meetings and legal reviews required to form a data sharing agreement between parties.

7. OCS should consult with potential data providers that have not previously contributed due to concerns about licensing and data distribution. OCS should investigate if the licensing implementation can allow some level of data contribution, by allowing a lower resolution or subsets of data. This should include other government agencies with known restricted data, e.g Navy, and commercially restricted data.
8. It is critical that OCS includes the appropriate outreach to academic, commercial and government potential contributors to ensure all contributors are fully aware that the implementation of the licensing simplifies the process for them and is not an overhead or barrier to the process. Users of the data should also be aware that this simplifies their access and use of the OCS bathymetric data.

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