

Appendix II. KBFC Data Sharing Agreement (version finalized on 06/11/2024)

Table of Contents

- I. Background
- II. Definitions and Acronyms
- III. Membership
- IV. Data Submission, Access, and Usage
- V. Data Removal

I. Background

The Klamath Basin Fisheries Collaborative (KBFC) is a network of dedicated partners collaboratively working to facilitate access to tag information, associated data and metadata within the Klamath River Basin. Bringing together Tribes, federal and state agencies, and non-governmental organizations, the KBFC plays a crucial role in informing fisheries management and ecosystem restoration efforts within the Klamath River Basin. Currently, the KBFC database is focused on data originating from monitoring and research activities dating back to 2006, these data are derived from PIT tag remote detection systems and various capture, mark, recapture, and recovery efforts. Drawing strength from member collaboration, the KBFC is committed to data sharing, data protection and attribution, and expanding its network through member recruitment. The KBFC acknowledges that cooperation will align with each entity's independent policies and procedures, as exemplified by the unique relationships Tribes maintain with federal and state governments, consistent with the USFWS Native American Policy (U.S. Fish and Wildlife Service, 2016) and guided by the CARE Principles (Carroll, S., et al., 2020). In doing so, the KBFC fosters a community of researchers and contributes to the advancement of fisheries and restoration sciences.

II. Definitions and Acronyms

Data Originator- The KBFC member entity(s) who originally deployed a tag and or detection equipment. The resulting tag data, including capture metadata, and detection data by default are considered owned by the Data Originator.

Data Steward- A KBFC member who is primarily responsible for submitting their entity's data to the KBFC database and or managing data.

Database Administrator- A person appointed to manage the KBFC collaborative database.

Entity- A state or federal agency, local, Tribe, or non-profit organization.

KBFC- Acronym for Klamath Basin Fisheries Collaborative.

KBFC Co-chair(s)- Appointed individual(s) representing the upper and lower portion of the Klamath Basin and who work under the direction of the KBFC leadership team. They assist the KBFC with developing a stronger presence in related Klamath Basin collaborative efforts, increase interactions with KBFC members, and identify short-term and long-term funding opportunities to advance the KBFC's work.

KBFC data- Data stored in the KBFC database, but does not infer ownership.

KBFC database- A collaborative, standardized database used by members of the KBFC.

KBFC leadership team- The primary decision-making body which guides the KBFC. The leadership team fosters communication among members, discusses research findings, priorities and fundraising needs, and guides collaborative efforts.

KBFC member- An individual acting as a representative for their entity who has formally become a KBFC member as described in the KBFC Operating Guidelines.

KBFC Operating Guidelines- The standard operating procedure detailing KBFC work processes and organizational structure (KBFC Operating Guidelines, 2023).

KBFC data exchange portal- A web interface that enables users to submit, download and view KBFC data.

MRR- An acronym for Mark, Recapture and Recovery. This may relate to MRR data or sites.

Project- A KBFC registered data collection project.

Project Collaborator- A member added as an official project collaborator within the KBFC database. Project Collaborators can access all data within the shared project.

Public data- Publicly available data that can be shared, used and distributed without restriction (i.e., summary statistics, data available under the OPEN Government Data Act, etc.).

Restricted data- KBFC data with restricted user access in accordance to section [IV.B2](#).

III. Membership

- A. Members agree and adhere to the data sharing agreement and the purpose and commitments of the KBFC as described in the KBFC Operating Guidelines.
- B. To submit data to the KBFC collaborative database, you must be a KBFC member. Each member can access the KBFC data exchange portal via their unique username and password and has an assigned data permission level. Two data

permission levels specify how members can interact with KBFC data as described in section IV.B2.

IV. Data Submission, Access, and Usage

A. Data submission

1. Data Stewards are responsible for ensuring that data are submitted in accordance with the KBFC controlled vocabulary and data exchange standards as described on the KBFC official website and data exchange portal.
 - a) Data shall be submitted in a timely fashion, but at least by December 31st annually.
2. Data Stewards will inform the Database Administrator of any errors, inaccuracies or necessary updates with respect to data that have been submitted to KBFC as soon as possible after becoming aware of such issues.
3. Submitted data and metadata are by default considered as owned by the KBFC member entity(s) who collected and submitted these data. For tag related data, this would include who deployed the tag and who deploys and monitors the detection equipment.

B. Data Access

1. Public Data Access

- a) Public data are accessible via the KBFC official website (<https://www.kbfishc.org/>) and include but are not limited to:
 - (1) Summary statistics
 - (2) A map illustrating generalized locations of data collection sites, which for PIT tags includes remote PIT tag detection and MRR sites and other public features within the Klamath River Basin.
 - (3) Data made available by agencies under the [OPEN Government Data Act](#) and published in a machine readable format.
 - (4) A query tool to search for a specific tag code.
 - (a) If a match is found in the KBFC database and associated with a “mark” record, then the Data Originator’s contact information is shared.
 - (b) If a match is found in the KBFC database and only associated with a detection record, then the Data Originator’s contact information is shared.
 - (c) If a match is not found in the KBFC database, then no information is shared.

2. Restricted Data Access

- a) Restricted data are accessible to only KBFC members. A member is assigned either a Technical or Basic data permission level.

- (1) A Technical data permission level is assigned to KBFC members who contribute(d) data to the KBFC database, such as:
 - (a) Remote and mark, recapture and recovery (MRR) site metadata
 - (b) MRR data
 - (c) Remote detection data
 - (2) A Basic data permission level is assigned to KBFC members who have not contributed and are not currently contributing data to the KBFC database, however they contribute funding and or research.
- b) Technical data permissions include:
- (1) Access to data collected and submitted by their entity, which for PIT tag data includes:
 - (a) Remote and MRR site metadata
 - (b) MRR data
 - (c) Remote detection data
 - (2) Access to data collected and submitted by other members, which for PIT tag data includes:
 - (a) Remote and MRR site metadata
 - (b) Detection data (remote and physical) for PIT tags that the member entity owns. If the member entity has not deployed any PIT tags, detection data (remote and physical) from other members are not accessible.
 - (3) Search for unknown tag codes detected on their remote detection equipment.
 - (a) If a match is found within the KBFC database and associated with a “mark” record, then the species, original tagging location and timestamp, and contact information of the Data Originator is shared.
 - (b) If a match is found in the KBFC database and only associated with a detection record, then the Data Originator’s contact information is shared.
- c) Basic data permissions include:
- (1) Access data collected and submitted by other members, including:
 - (a) Detection and MRR site metadata
- d) A member with Basic or Technical data permissions may be added as a Project Collaborator within the KBFC database.
3. Member Data Request

- a) A non-member must become a KBFC member, following the steps described in the KBFC Operating Guidelines, prior to requesting data.
- b) KBFC members who wish to access additional restricted data and are not a listed Project Collaborator must submit a detailed data request to the Data Steward(s) of the data of which they are seeking.
- c) Data requests must entail specifics including, but not limited to the intended purpose for the data, the specific data they request and deadline for when they need the data.
- d) Determination of a data request approval or declination
 - (1) The data request must be approved by the respective Data Originator whose data is being requested.
 - (a) If the request is granted, the Database Administrator will run the data query and share the data with the member.
 - (b) If the request is denied, the member will not receive data.
 - (2) A Data Originator may:
 - (a) Decline a data request for their data if they can document (i.e., notes, emails, files, etc.):
 - (i) any inappropriate intended uses or interpretations of the data by the requestor,
 - (ii) implied or intended data applications by the Data Originator that are similar to those proposed by the requester,
 - (iii) any other extenuating circumstances.
 - (b) Request a time-delay in fulfilling the data request for situations that include, but are not limited to performing data quality checks and corrections or working with sensitive data tied to a specific holding period.

C. Data Usage

- 1. Data may be used as informational and promotional material for the KBFC. Consent of the KBFC Data Originator is required for use of all data except:
 - a) Generalized specifics of remote detection and MRR site locations for map visuals.
 - b) KBFC summary statistics, such as total number of PIT tagged animals released and species of animals tagged.
 - c) Project information including description and a point of contact.
- 2. Data Attribution

- a) Data users must give proper attribution for all data used in formal and non-formal publications to all contributing data providers, or otherwise via mutual agreement, and to the KBFC data infrastructure. It is strongly recommended that users utilize the citation provided when downloading data from KBFC data exchange portal.
 - (1) If data are used to conduct an analysis leading to the publication of a report or journal manuscript, the Data Originator will be invited to participate as a full collaborator and co-author on project development and write-up to the extent they desire.
 - (a) Data Originators have 90 days to respond to data publication review.
 - b) Data users must inform KBFC (project@kbfishc.org) of publications, data products (e.g. tables, graphs, maps, etc.), and commercial applications resulting from use of the KBFC data.
3. Data Constraints
- a) Data stored in the KBFC database are dynamic and may be updated at any time.
 - (1) Database versioning will occur at least once per year, and if specifically requested by a member. A history of these versions will be available for download as a static dataset per request.
 - b) The KBFC and data providers are not liable for inaccuracies in the data.
 - c) Data users are responsible for using KBFC database data properly and investigating and understanding any limitations of these data.
 - d) Report all concerns with respect to data to project@kbfishc.org.
4. Data Violations
- a) All KBFC members commit to reporting any possible or observed data violations to the KBFC Co-chair(s) and leadership team.
 - b) Any entity or individual, including a KBFC Co-chair, may have their membership revoked for a violation of data sharing or use protocols.
 - (1) You will be notified of any accusations of failure to comply and have an opportunity to defend your actions or take corrective measures to ensure continued KBFC database access as described in the KBFC Operating Guidelines.
 - (a) If violations are indefensible and or corrective actions do not occur, the full leadership team (all current representatives) will decide on the revocation of membership. Any leader may abstain from a vote on revocation due to a perceived conflict or other reason.

(b) Failure to comply with the requirements may result in denial of access to data in future requests.

V. Data Removal

- A. Entities are permitted to remove their data from the KBFC database if they opt to no longer participate in the KBFC. If an entity requests the removal of their data they must:
 1. Notify the KBFC Co-chair(s) via email (project@kbfishc.org) at least 14 days prior to their official KBFC leave date. The email must include their first and last name, entity name, and reasoning for leaving the KBFC and removing their data from the KBFC database.
- B. Data removal requests will be conducted by a Database Administrator within 14 days of the official email request.

References

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