**Biological Database (BDB) Data Request SOP and Tracking**

**North Carolina Department of Environmental Quality**

**Division of Marine Fisheries**

**Technical Bulletin 09001 NC DMF BIOLOGICAL DATA REQUEST TRACKING October 9, 2009**

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**Revised March 15, 2022 (update Contacts)**

**Revised March 27, 2023 (update Contacts)**

This technical bulletin addresses the process for answering requests for data stored in the Division of Marine Fisheries (DMF) Biological Database (BDB) and associated files. First and foremost, all requests for data shall adhere to the North Carolina Public Records Law, and established Department of Environmental Quality (DEQ) policies concerning public records. The NC General Statues outlining these policies and procedures can be found here:

* G.S. 132 Public Records (<https://www.ncleg.net/enactedlegislation/statutes/html/bychapter/chapter_132.html>)
* G.S. 113-170.3 Record Keeping Requirements (<https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_113/GS_113-170.3.pdf>)
* G.S. 143B-289.52(h) Marine Fisheries Commission – powers and duties (<https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_143B/GS_143B-289.52.pdf>)

For formal requests under the Public Records Law, the Office of Public Affairs within with Department of Environmental Quality (DEQ) oversees this type of request with policies located here: <https://deq.nc.gov/news/requesting-public-records>. Requests must also comply with DEQ policies concerning all inquiries with and contact from members of the N.C. General Assembly, General Assembly Staff, Federal Agencies, Members of Congress, and local elected officials. An additional DEQ media notification by phone or email are to be submitted within 24 hours of contact. Contact the DMF public information officer (PIO) if you have any questions.

Routine requests that update BDB files that have been created for an agency in the past on a predetermined frequency (annual SEAMAP, TIP, and NMFS age sharing for example) are not required to complete the tracking form for each subsequent request. The applicable FIMSS program Analytical Notes file will serve as the record of this sanctioned data sharing between the division and the data recipient.

**This policy shall be followed and the accompanying BDB data tracking request form shall be completed accordingly for each request for data from the BDB**.

Location:

This DMF Policy and tracking form are located at <https://deq.nc.gov/about/divisions/marine-fisheries/inside-fisheries> under the “IT, Maps, Contact Info, Other Links” tab. May also be found on [N:\FIMSS\FIMSS\_Aids\SOPS\BUG\_SOP\Data release policy and form](file:///N%3A%5CFIMSS%5CFIMSS_Aids%5CSOPS%5CBUG_SOP%5CData%20release%20policy%20and%20form)

Process for Fulfilling Data Request

1. The initial DMF employee contacted for the information will acknowledge receipt of the request within three (3) business days of receiving the request and help the requester define the request in order to determine the appropriate DMF contact to address the request. The Coastwide Programs Manager will be notified by email of this initial contact (and will be cc’ed on all emails concerning the request). If applicable, relevant program documentation will be supplied to the requester in order for them to fully understand the limitations of the data, as well as the underlying sampling design.
2. The identified BDB program or species lead(s), or the Coastwide Programs Manager will discuss the request and assign it to staff. If DMF GIS data is also requested in concert with the BDB, the appropriate GIS staff will be contacted for them to provide the requested spatial files. If BDB Administrator or GIS assistance is required, then the request should be sent to the BDB.DM.Personnel@ncdenr.gov and GISPersonnel@ncdenr.gov emails.
3. The accompanying Biological Data Release Tracking Form shall be completed for each request by staff assigned to fulfill the request. Please detach from these instructions.
4. Responses to requests should be made as promptly as possible but not unduly interrupt one’s normal job task priorities.
5. Section chiefs, district managers and other biologists should be notified, as appropriate. The public information officer should be informed of any requests from news media (existing DMF policy) and formal requests stating the request is being made under the Public Records Law. The Marine Fisheries Commission office should be notified of any legislative requests received and will provide guidance for responding.
6. BDB data should be provided in the requester's media of choice, as long as DMF is readily capable of producing such format or media.
7. DMF may charge a fee under DEQ policy. By statute, an agency may charge a special service charge for any request that requires extensive use of information technology or extensive clerical or supervisory assistance by personnel of the agency. If a request takes more than four (4) hours of clerical or supervisory assistance to fill, the agency may assess a special service charge for the amount of staff time spent over four (4) hours.
8. The Fisheries Management or Habitat Enhancement Chief, or their designee, may waive charges which is routinely done when the request is for conservation purposes. The applicable section chief, division PIO and the division director shall be consulted for assessing the DEQ special service charge.
9. The final product will be sent, along with an explanatory email that includes at a minimum: Number of records, field names, field definitions, caveats on use and suggested acknowledgement.
10. The request is considered accomplished when recipient (requestor) indicates received and complete. Final completed form along with email transmittal notification shall be sent to the requestor and Coastwide Programs Manager. Completed BDB data request tracking forms are kept at [N:\FIMSS\FIMSS\_Aids\SOPS\BUG\_SOP\Data release policy and form](file:///N%3A%5CFIMSS%5CFIMSS_Aids%5CSOPS%5CBUG_SOP%5CData%20release%20policy%20and%20form). The Coastwide Programs Manager is responsible for maintaining these request forms and the tracking log in this folder.

INTERNAL TRACKING FORM FOR RELEASED BIOLOGICAL DATA

(March 2023)

Casey.Knight@ncdenr.gov (Coastwide Programs Manager)

North Carolina Department of Environmental Quality.

Division of Marine Fisheries, PO Box 769, Morehead City, NC 28557-3209

TO BE COMPLETED BY REQUESTOR

(Return to your DMF Contact and Coastwide Program Manager at the email or address above)

|  |  |
| --- | --- |
| Name of First DMF Contact |  |
| Date (mm/dd/yyyy) of Initial Contact |  |
| Requestor Name (Individual or Firm) |  |
| Official Title of Requestor |  |
| Affiliation (Firm, University, Citizen, etc.) |  |
| Street Address |  |
| City, State, and Zip code |  |
| Requestor Phone Number |  |
| Requestor Email |  |

|  |
| --- |
| Description of the Biological Data Being Requested (please be as specific as possible-program, fields, date range, locations): |
|  |

To be completed by the DMF Responder

|  |  |  |
| --- | --- | --- |
| Notification | Name  | Date |
| Biologist/Program Lead |  |  |
| District Manager/Section Chief |  |  |
| DMF Public Information Officer (if needed for media request) |  |  |
| Request Filled By |  |  |
| Date Data is Delivered |  |
| Hours to Complete Request |  |
| Charges (Choose one below) |  |
| Yes (hours and amount due) |  |
| No (provide reason) |  |
| Date and Method Payment (if applicable) |  |
| Format of Data Released (.txt, .xls) |  |

|  |
| --- |
| Name and Location of code and resources used to satisfy the request: |
|  |

NOTE: The NC Division of Marine Fisheries would appreciate receiving a copy of any publications that may result from using DMF data. We request any reporting of our DMF data acknowledge the NC Division of Marine Fisheries as the source of data and indicate that the analyses and conclusions resulting from the non-Division use of the data are not necessarily those of the Division.