



B-12 Guidance on Crowdsourced Bathymetry ***Additional Considerations***

Discussion Topics

07 February 2022



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General Overview:

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- Data licensing discussion added
- IHO reviewed section
- No major conceptual changes proposed



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Discussion Topic #1:

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The following notes, which are not exhaustive, are intended for information only

Points for discussion:

- Denmark (DK) suggests removal of this statement



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Discussion Topic #1:

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Organization

The following notes, which are not exhaustive, are intended for information only

Additional input:

- BJ: entire document intended for information, this statement does not add additional information for reader and could be discouraging
- JJ: statement reinforces that this section is not authoritative.
- SK: no objection to caveat at beginning, but could remove bold. It frames purpose.
- GM: Questions term “notes”, may not be appropriate for IHO publication.
- PW: initially proposed removing entire “additional considerations”, instead incorporate into other parts of document. If keep, neutral on keeping this statement.
- SH: ok with removal, but needs to be clear in following text that it’s useful but not exhaustive information.
- BJ: Seeing more sense during discussion. Key is that it is not exhaustive. Could information be added on where to find more exhaustive information?
- SH: Note that the key portion of the passage is “useful but not all of the information you need”. Would be impossible/dangerous to point to other areas of information as it will never be complete, could falsely reassure people that they would have all of the information if they look at other bits.
- SK: How about, “***The following informational notes are not exhaustive, and may be updated from time to time.***”



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Discussion Topic #1:

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Decisions/Next Steps

- **ACTION:** Rephrase covering statement or add text in introduction making it clear that this is relevant information as far as authors of B-12 can see, but stakeholders should review other information.



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Discussion Topic #2:

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“Passage sounding”

Points for discussion:

- **DK proposed reconsidering whether “passage sounding” is a term to use in closing section.**



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Discussion Topic #2:

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“Passage sounding”

Additional input:

- JJ: Matches language in GEBCO. Aiming for consistent language and historical context.
- SH: agreement with historical context. Could be removed later in section but here it is appropriate.
- SK: agreement with JJ, SH. Is “passage sounding” synonymous with “transit sounding”?
- SH: can check IHO dictionary for “transit sounding” but thinks so.
- PW: synonymous. Agree with historical context, demonstrates that we have already done this. In first iteration kept “passage sounding” to emphasize during approval process that this has already been done; may not be necessary now.
- BJ: understand and agree with this in this paragraph. Maybe make clear that terms using are synonymous. Could be a part of consistency check across document. Has a purpose in introduction but perhaps not in this section.
- SH: Limited situations where “passage sounding” should be used, else could add ambiguity. But within tone and purpose of this opening paragraph we are setting the historical context.



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Discussion Topic #2:

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“Passage sounding”

Decisions/Next Steps

- Historical context is important
- Leave “passage sounding” in opening paragraph
- Replace with “crowdsourced bathymetry” in first bullet point:
 - SH: *“Mariners proposing to record (collect) and share bathymetric data as a CSB activity, should make themselves aware of any relevant local restrictions or considerations, especially as relates to operating within waters subject to national jurisdiction.”*
 - Agree



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Discussion Topic #3:

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“IHO CSB Programme”

Points for discussion:

- **DK: what is the IHO CSB Programme? Does it mean submission to DCDB?**

Additional input:

- JJ: Should state: “IHO CSB Initiative”, not Programme
- SH: “programme” implies formality that does not apply here. “Initiative” is more accurate
- SK: agree to “initiative”
- GM: Suggest changing to: “When considering participation in the IHO CSB Initiative described in B-12”
- SH: That may imply that B-12 is one tool to be used in doing that, but the effort is larger than this document.
- GM: IHO CSB Initiative should be referenced earlier in document, not just here in additional considerations.
- SH: Agree. Part of broader editorial consideration



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Discussion Topic #3:

“IHO CSB Programme”

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Decisions/Next Steps

- Will be in editorial review process. Programme should be replaced with “Initiative” throughout section
- During review, consider whether “IHO CSB Initiative” should be referenced earlier in document



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Discussion Topic #4:

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Replace “uncertainty” with “quality”

Points for discussion:

- **DK proposal**

Additional input:

- Consistent with other changes to document
- SK agrees “quality”

Decisions/Next Steps

- Update “uncertainty” to “quality”



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Discussion Topic #5:

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The IHO may, in the future, update its selected licenses....

Points for discussion:

- **DK: How would DCDB/IHO update the users of changes if they happen? Would there need to be a new release of B-12? What about data released based on previous versions of B-12?**

Additional input:

- JJ: data released based on previous versions - currently have 3 data providers (sitting on 5 other providers, updated data license would be applied to those). Nothing in previous packages references licenses. Could retroactively go back to old packages and add/edit metadata referencing original BY. Or could add a read me. Alternatively could reach out to 3 data providers, ask if they have any issue moving to CC0. Original providers never agreed to any particular license. If no objection from providers, could retroactively update to CC0. Not sure of process yet but could address historic, new data would be CC0. Manageable issue.
- PW: Clarification of “package” - we do not mean data previously downloaded. We mean what is sitting on spinning disk. Can't impact what has already been downloaded.
- BJ: do not expect all questions to be solved, but if we include this statement then we should inform user how the potential evolution will be managed. Plan should be well communicated.



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Discussion Topic #5:

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The IHO may, in the future, update its selected licenses....

Additional input:

- PW: Had extensive discussion in past re: what is a new edition vs. a friendly update. If we change license regime, does it require a new version of B-12?
- SH: Does not necessarily require new version of B-12. Change would be considered by this group, potentially by IRCC. Judge if it is inconsequential (member states and providers made aware via C/L and normal procedure to register issues) or if something is very different (changes use of data). Could be handled outside of revision process of B-12 document. Permissible via IRCC.
- SK: agreement with SH. Could be worth mentioning that notification of changes to the license B-12 are deemed administrative, stakeholders would be notified of changes via C/L or DCDB website.
- GM: What was written about data license in the past agreements with the Trusted Nodes?
- JJ: never had data submission agreement with TN. Of current TNs, the only agreement that exists is with Farsounder and it is not CSB specific (covers MB as well). No mention of data licensing in that agreement
- GM: so current license is? No current answer, nothing in data downloading to point to license.
- GM: Should we mention past CCBY? JJ questions benefit of mentioning this.



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Discussion Topic #5:

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The IHO may, in the future, update its selected licenses....

Additional input:

- SH: previously licensing was not explicit in metadata. CCBY would be attributed to the collector. Have not considered referencing CCBY for past data.
- PW: If CCBY has never really been in place (no click banner), then CCBY wasn't really in play and should treat amendment as clarification that it should have been CC0 initially. Sensitivity of changing it has given us pause in the past, but if it wasn't in play then we may have meant CC0 all along.



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Discussion Topic #5:

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The IHO may, in the future, update its selected licenses....

Decisions/Next Steps

- Mention that changes in the license are deemed administrative, stakeholders would be notified of changes via C/L or DCDB website.
- Proposed language from SK: *"The IHO may, in the future, update its selected licenses as the versions and terms of the Creative Commons licenses change. Publication of any updates to the license in B-12 will be an administrative change to the document, and CSB stakeholders will be notified by IHO Circular Letter and on the DCDB Website."*
- Agreement



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Discussion Topic #6:

By consenting to the IHO CSB Trusted Node Agreement Form (Annex X)....

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Points for discussion:

- **DK: proposes to make all the new agreements publicly available on the DCDB website**

Additional input:

- JJ: Should agreement be included in annexes? If so, make it very clear this is an example. Updates etc. will be under control of DCDB. Will want WG input but it is an agreement between provider and DCDB. Templates are updated by DCDB to meet needs of provider. Example form will also be on DCDB website and on CSB website.
- SH: cautions against having form as annex. A hyperlink to the latest version could be managed via editorial process. May be changed more frequently than when whole document goes through approval process.
- BJ: makes sense to have it where it can be updated. Works if properly hyperlinked. But would like some way to monitor that any special clauses added to individual contracts are not going across anything else in B-12. Would like agreements to be available for MS so know who is collecting data and under which conditions.

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Discussion Topic #6:

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By consenting to the IHO CSB Trusted Node Agreement Form (Annex X)....

Additional input:

- SH: Assurance for MS would be in other parts of B-12 outlining expectations of involvement of CSB. Must bear in mind that at some point cross threshold from agreements that are relevant and related to CSB to those that are bigger than CSB initiative and how DCDB operates. This point is very close to threshold. Understand the need for this assurance but individual agreements are a separate issue.
- GM: I believe that it is in the openness spirit of IHO CSB initiative to have all the signed agreements publicly available. We can add omissis for the personal information (we have GDPR in Europe!)
- JJ: When we refer to making adjustments to meet a data provider needs, we are referring to how data will be transferred to DCDB, frequency of delivery, etc. DCDB will eventually maintain a list of TNs and make that publicly available
- GM: Strongly objects to agreements not being made publicly available
- PW: in theory all data is publicly accessible, but may not be the case. Some customized stuff needs to happen. Get the intent that it is meant to be open, but if we make it too rigid it will not work for everyone.
- SK: Privacy law principles and requirements under US law may preclude making personal identifiable information and commercial information in these private agreements publicly available. The crucial part is not who is providing the data, but rather the metadata that relates to the quality of data that assists end user.



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Discussion Topic #6:

By consenting to the IHO CSB Trusted Node Agreement Form (Annex X)....

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Additional input:

- SH: documents/agreements are covering the mechanics of how a TN would pass data. Those agreements have a very limited legal standing. Not talking about legal context of what should/could be done with exception of license, which is dealt with elsewhere
- GM: Can member states have access to these agreements? Data license is critical in TN agreement.
- JJ clarified that it will be covered in trusted node agreements (section A), only portions in yellow are subject to change while working with TN.
- BJ: helpful to see what is subject to change and what is not in agreement. If sharing the contract is stepping on line, then at least make list of TNs who have agreement be publicly accessible or accessible to member states.
- BJ: could group review any revisions to agreement?
- JJ: clearly link to agreement form, any substantial agreements (substantial being key) would be reviewed by working group.



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Discussion Topic #6:

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By consenting to the IHO CSB Trusted Node Agreement Form (Annex X)....

Decisions/Next Steps

- Do not include sample in annex. Instead add hyperlink to most recent version on DCDB page.
- Signed agreements will not be made publicly available.
- Can find TN's by searching DCDB Bathy Viewer. Since only 3 currently, TNs are not listed. Ultimately will have a list on DCDB webpage. TNs going forward will sign this agreement, will not take on unless they sign an agreement. Agreement will be shared retroactively with current TNs and asking them to sign.



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Discussion Topic #7:

“...VDR...”

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Decisions/Next Steps

- Clarified that VDR = voyage data recorder. To be spelled out in document.



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Discussion Topic #8:

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ISO Reference

Decisions/Next Steps

- JJ to review that it is up to date



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Discussion Topic #9:

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Reference: CSB data submission to the DCDB guidance document

Decisions/Next Steps

- Still be drafted. Will be passed to CSBWG for review and input.
- When final, will be on DCDB page and CSBWG page.



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Discussion Topic #10:

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TN Agreement Form: “The DCDB archives and shares, openly and without restrictions, depth data contributed by mariners.”

Decisions/Next Steps

- DK proposed mentioning national caveats in background; pointed out that there ARE restrictions
- JJ to revise and present in draft to WG.



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Discussion Topic #11:

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TN Agreement Form: Existing trusted nodes?

Decisions/Next Steps

- This form will be presented to current trusted nodes and they will be requested to fill out and sign.



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Discussion Topic #12:

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TN Agreement Form: “state”

Decisions/Next Steps

- SK: “state” should be capitalized for any reference to Member or Coastal State
- To be reviewed for consistency across document.



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Discussion Topic #13:

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TN Agreement Form: Agreement of termination

Decisions/Next Steps

- SH recommends that DCDB should add in a buffer time so not immediately in breach. SK agrees. 60, 90, or 120 day notification periods are often considered reasonable. If both parties agree, a contract can be terminated immediately or as soon as is practicable.



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Discussion Topic #14:

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TN Agreement Form: B-12 reference

Decisions/Next Steps

- B-12 is referenced in “reference documents”. There will be a more formal description and likely inclusion of URL.
- CSB Submission Guidance document reference will also have description and URL