

# DATA ACCESS POLICIES AND GUIDELINES

## Office of History and Archaeology, Alaska Heritage Resources Survey / Integrated Business Suite

- 1.0 Background:** The Alaska Heritage Resources Survey database (AHRS) is a *restricted* statewide inventory of Alaska's *reported* historic, prehistoric, and archaeological resources. The Alaska Department of Natural Resources, Office of History and Archaeology (OHA) maintains the inventory under the authority of AS 41.35.070(a). The fundamental purpose of the AHRS is to facilitate resource identification and evaluation for research, planning, protection and development. The AHRS is part of OHA's computerized Integrated Business Suite (IBS).
- 2.0 Data Limitations:** Sites listed in the AHRS are under the jurisdiction, ownership, or control of other entities, such as state and federal agencies, municipal governments, private individuals, and tribal organizations. These entities must authorize visits to sites under their management, and may place additional restrictions on the transmission of AHRS data related to such sites. The absence of AHRS information on cultural resources for a particular area does not necessarily indicate that no sites are present. It may reflect a lack of surveys to identify sites in that area, incomplete information, or unreported resource information. OHA does not guarantee the accuracy or completeness of AHRS records. Because the Alaska USGS base maps vary in accuracy, "on screen" site locations derived from GPS coordinates may appear visually inaccurate. AHRS data used for management decisions or planning should be interpreted by a cultural resource professional familiar with the data limitations.
- 3.0 Access and Legal Constraints:** To protect sensitive cultural sites against unauthorized disturbance, access to the AHRS database and related information that would put sites at risk (i.e., coordinates and maps or texts that depict precise locations of archaeological sites) is withheld from the general public. Restricted or confidential site information is withheld from public records disclosure under state law (AS 40.25.110) and under the federal Freedom of Information Act (PL 89-554). The restriction of site inventory information is allowed by AS 40.25.120(a)(4), Alaska State Parks Policy and Procedure No. 50200, the National Historic Preservation Act (PL 89-665, 16 U.S.C. 470), and the Archaeological Resources Protection Act (PL 96-95).
- 4.0 Guidelines for Use and Security of AHRS Data:** AHRS information that would put sites at risk shall not be included in public documents, including non-OHA permit applications, grant applications, and/or other documents for which public access cannot be restricted. When in doubt, the applicant should consult with OHA. Information such as coordinates and maps or text with explicit site locations: (a) shall be held in a secure place with restricted access; (b) shall be used for legitimate planning or scientific research; and (c) shall not be redistributed to those who have not signed an OHA IBS User Agreement, with the exception of those described in Section 4.1. IBS export data obtained under a Corporate / Agency IBS User Agreement shall be destroyed for completed projects or replaced with current data for ongoing projects prior to the renewal of user agreements.
- 4.1** Coordinates, maps and text that depict specific site locations may be made available to clients, agency employees, tribes and others involved in a particular project planning process, but should be marked "Restricted – Not for Public Distribution." Digital data exported from the IBS under a Corporate / Agency IBS User Agreement (i.e., shapefiles or other data sets suitable for populating a database) shall not be made available to those who have not signed an OHA IBS User Agreement, nor shall direct IBS access be made

available. The locations of standing buildings and structures still in use are not subject to the protective measures in Sections 4.0 – 4.2.

- 4.2 Location maps used to illustrate the general presence of cultural sites, such as would be used in Environmental Impact Statements, management plans, and other documents available to the public, should be at such a scale and resolution so as to preclude the map's use for relocating individual sites in the field. OHA can provide advice or examples if needed.
- 4.3 Because the IBS/AHRS is a dynamic system, archived data becomes obsolete as site records are created or updated. Archived digital data derived from direct IBS data exports, such as shapefiles and data used to populate databases or spreadsheets, should be purged minimally on an annual basis to insure that the use of old data for planning or management does not put sites at risk. These types of data are normally only available to Corporate / Agency users. The use of the IBS, rather than static databases populated with exported data, will insure that site data are the most current. The Section 4.0 requirement for Corporate / Agency users to destroy export data does not apply to data that are archived as part of a project file. Archived data that would put sites at risk, such as location coordinates and text providing explicit locations, still must be held in a secure place with restricted access, as required by Section 4.0 (a)

- 5.0 **Statement of Access Policies:** OHA restricts AHRS access to users with a legitimate need for the information. Authorized users are limited to representatives of federal, state, local, or tribal governments on official business, scientific researchers, and qualified representatives of cultural resource management firms conducting investigations that will contribute to resource protection. Because the interpretation of AHRS data requires familiarization with the resource and data limitations, OHA restricts non-agency AHRS access to cultural resource professionals who meet qualification standards. The Chief of OHA may grant waivers for AHRS access to individuals who do not meet these standards if: (1) access is believed to be in the best interest of protecting or managing the resource; and/or (2) the land or resource manager supports AHRS access; and/or (3) the requesting individual has an established history of legitimate AHRS use and/or cultural resource management. OHA may also limit users to certain types of data, type of access (remote or in-house), or to data for a particular geographic area. Corporate Agreement holders may request raw data exports for use with their own GIS software. OHA may grant IBS editing privileges to users who plan to enter or update AHRS records.

6.0 **Guidelines for IBS/AHRS Access:**

- 6.1 **Agency users** (including federal, state, and local governments, as well as tribes) may access the AHRS and related data sets if they (1) are on official business and access is project-related, (2) present a current agency business card or ID, (3) have attended an OHA IBS training course, and (4) complete an OHA IBS User Agreement.
- 6.2 **Non-agency users** (including but not limited to representatives of universities, historical societies, tribal consortiums and tribal nonprofits) may access the AHRS and related data sets if they (1) demonstrate a legitimate business or research need, (2) have attended an OHA IBS training course, (3) submit proof of completion of a B.S. or B.A. degree in archaeology, anthropology, architectural history, history, or historic preservation, and, (4) complete an OHA IBS User Agreement.

6.3 **Corporate / large-scale agency users** who desire AHRS data exports for use in their own GIS systems or need sustained access to large geographic areas must (1) demonstrate a legitimate business or research need for control of large blocks of data, (2) submit a Corporate / Agency Information Use Agreement signed by a corporate officer or senior agency official, and (3) insure that individual users each complete an OHA IBS User Agreement. Terms of access for specific projects may be defined or modified through the execution of a Programmatic Agreement (PA) or Memorandum of Agreement (MOA) signed by the Chief of the Office of History and Archaeology in lieu of a Corporate Agreement.

Corporate / Agency User Agreements are designed to be completed by a corporate officer or senior agency official, with or without cultural resource training, who is applying for access to the Alaska Heritage Resources Survey (AHRS) database on behalf of the group as a whole. Each individual user within the group must complete an IBS User Agreement. The Corporate / Agency User Agreement provides for a higher level of access, to include data exports, for which a higher level of accountability is required. By signing a Corporate / Agency User Agreement, the senior official acknowledges the sensitivity of data such as coordinates and shapefiles, and is thus able to direct employees to handle the data in a manner consistent with OHA policy.

6.4 **Applicants who fall outside the above categories** may request access under special circumstances if they (1) demonstrate a legitimate business or research need, (2) obtain a signed waiver from the Chief of OHA, (3) have attended an OHA IBS training course, and (4) complete an OHA IBS User Agreement.

## **7.0 OHA retains the right to:**

- 7.1 Determine legitimate needs (i.e., resource protection or scientific research);
- 7.2 Place restrictions on the dissemination of information obtained from the AHRS;
- 7.3 Determine which data fields will be made available to users;
- 7.4 Restrict user access to select modules within the OHA IBS;
- 7.5 Limit access to records in or near the project's Area of Potential Effect (APE);
- 7.6 Set an expiration date for user agreement documents (normally within 1 year or less);
- 7.7 Require applicant to provide written land owner permissions prior to data releases;
- 7.8 Request project information and end date(s);
- 7.9 Request a signed "Certification of Data Destruction" form from recipients of data exports;
- 7.10 Terminate a User Agreement at any time; and
- 7.11 Decline to renew access if prior agreement terms have not been met.

## **8.0 Access:**

- 8.1 **In House Access** is available to authorized users at the OHA office at 550 W. 7<sup>th</sup> Ave., Suite 1310 during posted AHRS business hours or by appointment (907-269-8718). Due to the IBS learning curve, it is recommended that users who do not regularly use AHRS come into the office to take advantage of staff support.
- 8.2 **Remote Access (Log In)** is available to authorized users. Due to the IBS learning curve, remote access will generally be made available only to those who use the IBS regularly (at least two times per month), or when circumstances necessitate remote access.

## **9.0 Litigation Disclosure Form:** In keeping with the policy of other DNR Sections, OHA requires the completion of a "Litigation Disclosure Form." The form is typically required at the time of User Agreement Form submittals or annual renewals, but may be required for individual projects as circumstances warrant. The intent of the Litigation Disclosure Form is to prohibit the disclosure of records to be used for litigation against the State to a party involved in the litigation unless applicable court rules have been followed (AS 40.25.122).