

THOMAS P. DiNAPOLI  
STATE COMPTROLLER



110 STATE STREET  
ALBANY, NEW YORK 12236

STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER

February 1, 2022

Erik Kulleseid  
Commissioner  
Office of Parks, Recreation and Historic Preservation  
625 Broadway  
Albany, NY 12238

Re: Compliance With Executive Order 95  
(Open Data)  
Report 2021-F-29

Dear Commissioner Kulleseid:

Pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law, we have followed up on the actions taken by officials of the Office of Parks, Recreation and Historic Preservation to implement the recommendations contained in our audit report, *Compliance With Executive Order 95 (Open Data)* (Report [2019-S-65](#)).

**Background, Scope, and Objective**

State government entities possess large amounts of valuable information on subjects such as health, business, public safety, parks and recreation, labor, and transportation. Executive Order 95 (EO 95), issued March 11, 2013, established an Open Data Website ([Open Data](#)) for the collection and public dissemination of publishable State data maintained by covered State entities (generally, those headed by individuals appointed by the Executive). EO 95 implementation was phased in beginning in March 2013, with covered entities required to be in full compliance by December 2019. As of January 2022, there were over 5,300 data items on Open Data.

Open Data should provide ongoing "one-stop" access to publishable State data and make such data freely available in accessible formats for public use. Publishable State data should include comprehensive metadata and documentation to help maximize citizens' understanding, and the public should be able to easily access the data using common software applications. Further, EO 95 states that ensuring the quality and consistency of data is essential to Open Data's value and utility. The Open Data Handbook (Handbook) published by the Office of Information Technology Services (ITS) defines quality information as appropriate, current, complete, accurate, accessible, and provided on a timely basis.

ITS' Handbook, issued on November 6, 2013, sets a schedule for the initial and ongoing publication of data for covered State entities, and includes guidance such as a timeline for implementing EO 95 requirements, Data Coordinator and Data Work Group responsibilities, information on topics such as cataloguing and prioritizing data, and standardization and update requirements. Each covered State entity is required to create schedules and prioritize data

publication in accordance with guidelines set forth in the Handbook, which directs agencies to identify high-value, high-quality, and complete data sets when creating their data catalogue. ITS also issued several other guides to provide additional technical guidance related to formatting, data preparation, data refresh, and submission requirements included in the Handbook.

The Office of Parks, Recreation and Historic Preservation (Parks) is responsible for the operation and stewardship of the parks and historic sites located in the State's 11 park regions: Allegany, Central, Finger Lakes, Genesee, Long Island, New York City, Niagara, Palisades, Saratoga/Capital District, Taconic, and Thousand Islands. Parks published its first data item to Open Data on February 15, 2013, and, as of January 2022, had published 24 data items (10 maps, 11 data sets, two filtered views, and one chart). The last data item was published on December 31, 2021. Parks' data is typically updated either annually or as needed, depending on the data.

Our initial audit report, covering the period February 15, 2013 through June 26, 2020, was issued on September 15, 2020. The audit objective was to determine whether Parks was complying with EO 95, including providing, in a timely manner, publishable State data to ITS under EO 95, and whether data posted under EO 95 was reliable and easily usable. The audit found that Parks had taken steps to meet the requirements of EO 95; however, certain aspects of EO 95 had not been fully addressed. Parks did appoint a qualified Data Coordinator responsible for EO 95 compliance within the required time frame, and the data Parks posted to Open Data was reliable (both accurate and complete) and easily accessible, with minor formatting issues. However, Parks did not identify the total population of publishable State data that it maintains. Therefore, there was limited assurance Parks provided a complete catalogue or accompanying schedules for making the data public, as required by EO 95. Also, Parks had not incorporated compliance with EO 95 into its core business functions, and there were no processes to identify new publishable data to post on Open Data (at the time of the audit, the most recent data had been added in 2015).

The objective of our follow-up was to assess the extent of implementation, as of January 2022, of the two recommendations included in our initial audit report.

### **Summary Conclusions and Status of Audit Recommendations**

Parks made significant progress addressing the issues identified during the initial audit, having implemented both recommendations.

### **Follow-Up Observations**

#### **Recommendation 1**

*As soon as practicable, submit to ITS and make publicly available a complete catalogue and schedule of publishable State data for addition to Open Data.*

Status – Implemented

Agency Action – Parks officials reviewed additional data not initially included on Open Data and identified two more data items. Parks worked with ITS to add the Beach Water Testing: Beginning 2015 and Solar Power Arrays at Parks Installed: Beginning 2012 data items to Open Data. The Beach Water Testing: Beginning 2015 data was added in July 2021, while the Solar Power Arrays at Parks Installed: Beginning 2012 was added in December 2021; both data items included metadata and an accompanying data dictionary. To

maintain a complete catalogue, Parks officials now send a biennial survey to Bureau Directors to identify potential new data items that should be added to Open Data.

**Recommendation 2**

*Develop policies and procedures for incorporating Open Data and compliance with EO 95 into Parks' core business and planning strategies.*

Status – Implemented

Agency Action – Parks developed guidance for its staff on incorporating Open Data and complying with EO 95 into Parks' core business and planning strategies. Specifically, the guidance outlines the process Parks' officials will use to identify potentially high-value data to add to Open Data. This includes a biennial survey that Parks officials send to Bureau Directors to evaluate their data items – the first survey was sent October 2020. The guidelines further direct Bureau Directors to incorporate the identification of high-value publishable data into Parks' Lean Implementation Plan.

Major contributors to this report were Karen Bogucki, Kathleen Garceau, and Joseph Southworth.

We thank the management and staff of Parks for the courtesies and cooperation extended to our auditors during this follow-up.

Very truly yours,



Heather Pratt, CFE  
Audit Manager

cc: Laura Mason, Internal Audit