



**TO:** Policy Board

**FROM:** MetroGIS Staff Support Team  
Contact: Randall Johnson (651-602-1638)

**SUBJECT:** Information Sharing

**DATE:** January 11, 2010  
(For the Jan 27<sup>th</sup> meeting)

Announcements and information provided by individuals other than the Staff Coordinator are so noted.

## **A) 2010 COORDINATING COMMITTEE OFFICERS**

On December 17<sup>th</sup>, the Committee unanimously reelected Sally Wakefield (1000 Friends of Mn) and Peter Henschel (Carver County), as its Chairperson and Vice Chairperson, respectfully, for 2010.

## **B). 2010 NSDI CAP GRANT APPLICATION**

On January 6<sup>th</sup>, application was submitted for a \$50,000 grant offered by the Federal Geographic Data Coordinating Committee (FGDC) for a project entitled “**Measuring Public Value of Geospatial Commons: A MetroGIS Case**”. The application can be viewed at [http://www.metrogis.org/teams/pb/meetings/10\\_0127/CAP%20Grant\\_MetroGIS%20Proposal\\_Combined%20Docs.pdf](http://www.metrogis.org/teams/pb/meetings/10_0127/CAP%20Grant_MetroGIS%20Proposal_Combined%20Docs.pdf) . Announcement of award recipients is anticipated in March 2010.

## **C) SURVEY FOR DEMONSTRATION TOPICS IDEAS FOR POLICY BOARD MEETINGS**

A survey of Coordinating Committee and Policy Board members is anticipated to be made in February. The initial survey was administered in November following a Board request at the October meeting. The responded rate was low so the Coordinating Committee requested a redo for its consideration at its March meeting.

## **D) NATIONAL GEOSPATIAL ADVISORY COMMITTEE: RESULTS OF DEC. 1-2 MEETING**

Committee actions are summarized at <http://www.fgdc.gov/ngac/meetings/december-2009/december-2009-ngac-meeting-summary-draft.pdf> ). The agenda is provided in Attachment

A. Highlights of the meeting include:

- Economic Recovery – Accepted a paper that offered insights for aligning the geospatial community’s interest as a result of the poor showing for Stimulus Funding Proposals.
- Geospatial Policy Benefits Paper - Approved in concept, a 2-page over view of the need for a national geospatial policy.
- NSDI Performance Metrics and Organizational Structure – A [white paper](#), entitled “Proposal to Measure Progress Toward Realizing the NSDI Vision” was presented by Governance Subcommittee in which objectives are described for a national organization governance mechanism for the NSDI and for a system of metrics of measure progress toward a desired end-state was accepted. The Staff Coordinator is a member of this Subcommittee and served as lead author for the governance section.

The Governance Subcommittee was authorized to begin working with major national stakeholders to build upon this Phase II deliverable to:

- Define a plan for vetting the high-level concepts (organizational and performance measurement) described herein among critical (national) stakeholder organizations.
- Refine the example metrics, define candidates for support responsibility (national not federal) and recommend an implementation strategy.

The Committee was also authorized to continue its work among its own members to define an operational national governance structure.

**E) PRESENTATIONS / OUTREACH / STUDIES** (*not mentioned elsewhere*)

- 1) **Articles / Presentations** - *none*
- 2) **Publications:** - *none*

**F) OTHER RELATED METRO AND STATE GEOSPATIAL INITIATIVES UPDATE**

- 1) The Dakota County Winter 2010 GIS Newsletter has been posted to the Dakota County website. You can view it by clicking on this link:  
<http://www.dakotacounty.us/Departments/GIS/Newsletter/default.htm>.
- 2) **LOGISmap Offered on Public Site**  
LOGISmap has been the “flagship” example of browser-based GIS for the consortium. It lightly integrates with the consortium’s property data and permitting systems, as well as a variety of data tables and document imaging systems, allowing city staff to geographically acquire necessary business information, investigate spatial relationships, produce simple map/report products, and compile mailings for city business. The functionality is now available for public use. For more information, see  
<http://www.mngisli.org/displaycommon.cfm?an=1&subarticlenbr=521>

**G) OTHER RELATED NATIONAL/FEDERAL GEOSPATIAL INITIATIVES UPDATE**

- 1) **Article Published by Will Craig in ESRI Press Entitled “Governance of the NSDI”**  
See <http://www.esri.com/news/arcnews/fall09articles/governance-of-nsdi.html>
- 2) **Scholarly Peer-Reviewed Article entitled “NSDI Building Blocks: Regional GIS in the United States”.** Source: <http://www.urisa.org/files/Journal%201.2%20-%20low%20res.pdf>.
- 3) **Santa Clara County Releases Its Geodata.** (See Attachment B for the article)
- 4) **2009 FGDC Annual Report released**  
See <http://www.fgdc.gov/library/whitepapers-reports/annual%20reports/2009/2009-AR.pdf>
- 5) **NextGov article on cloud computing:** “Federal CIO Unveils Cloud Computing Storefront” at: [http://www.nextgov.com/nextgov/ng\\_20090915\\_9173.php](http://www.nextgov.com/nextgov/ng_20090915_9173.php)
- 6) **British Ordnance Survey maps to go free online**  
For more information, see <http://www.guardian.co.uk/technology/2009/nov/17/ordnance-survey-maps-online>
- 7) **Process Framework for Developing Local Government Data Access Policies**  
Geospatial Administrators Association of South Carolina (GAASC) has released this document. (See the link on the Committee’s agenda webpage to view it.) GAASC is a network of local government management professionals from both GIS and IT disciplines. Our purpose is to share knowledge, experience, and resources, as well as to collaborate on common issues, problems, and needs. Our focus is on GIS/IT business management, interagency cooperation, technology standards, member communications, and education/outreach.

**H) DECEMBER 2009 COORDINATING COMMITTEE MEETING SUMMARY**

The summary of the December 17, 2009 Coordinating Committee meeting can be viewed at [http://www.metrogis.org/teams/cc/meetings/09\\_1217/09\\_1217mp\\_rev.pdf](http://www.metrogis.org/teams/cc/meetings/09_1217/09_1217mp_rev.pdf)

# ATTACHMENT A

NATIONAL GEOSPATIAL ADVISORY COMMITTEE (NGAC)  
DECEMBER 1-2, 2009  
WASHINGTON D. C.

**TUESDAY, December 1: NGAC Public Meeting**

- 8:30 – 8:45**      **Welcome & Opening** – *Anne Miglarese (Chair) & Steve Wallach (Vice Chair)*
- Roll call/introductions
  - Review and adoption of minutes from August NGAC meeting
  - Objectives and purpose of meeting
  - Announcements/logistics
- 8:45 – 9:45**              **FGDC Update**
- FGDC Activities and News – *Ivan DeLoatch/Karen Siderelis*
  - Transportation for the Nation – *Steve Lewis (USDOT)*
  - Recovery.Gov – *Ken Shaffer*
- 9:45 – 10:15**              **National Geospatial Forum** – *Stephen Lowe (USDA)*
- 10:15 – 10:45**              **BREAK**
- 10:45 – 11:45**      **Dialogue with the Mapping Science Committee** – *Dr. Keith Clarke (University of California, Santa Barbara)*
- 11:45 – 12:15**              **Leadership Remarks / NGAC Member Recognition**
- 12:15 – 1:15**      **LUNCH**
- 1:15 – 2:45**      **Subcommittee Reports & Updates**
- Economic Recovery – *Kim Nelson*
  - Geospatial Policy Benefits Paper – *Zsolt Nagy*
  - Emerging Technologies – *Mike Byrne*
  - Communications – *Kass Green*
- 2:45 – 3:15**      **BREAK**
- 3:15 – 4:45**      **Geospatial Revolution Project** – *Stephen Stept, Stephanie Ayanian, Karen Schuckman (Penn State University)*
- Overview presentation & discussion
  - Group activity
- 4:45 – 5:00**              **CLOSING & ADJOURN**

**Wednesday, December 2: NGAC Public Meeting**

- 8:00 – 8:15**      **Welcome, Summary of Day 1, Overview of Agenda** – *Chair/Vice-Chair*
- Updates, logistics, and announcements
- 8:15 – 9:00**      **The National Map** – *Allen Carroll/Larry Sugarbaker (USGS)*
- Strategic Planning Process – Progress Report
- 9:00 – 9:45**      **National LIDAR Concept** – *Greg Snyder (USGS)*
- Briefing
  - Question and Answer
- 9:45 – 10:15**      **BREAK**
- 10:15 – 11:15**      **Partnerships** – *Jerry Johnston/Gene Schiller*
- 11:15 – 12:00**      **Action on Subcommittee Recommendations**
- Economic Recovery Paper
  - Benefits Paper
- 12:00 – 1:00**      **LUNCH**
- 1:00 – 1:30**      **Public Comment Period** – *Sign up in advance*
- 1:30 – 2:30**      **Governance/Metrics Paper** – *Dennis Goreham/David Schell*
- 2:30 – 3:00**      **BREAK**
- 3:00 – 4:00**      **News and Notes Forum** – *NGAC Members (members sign up in advance)*
- China/NSDI – *Jack Dangermond*
  - Spatial Law and Policy – *David Schell*
- 4:00 – 4:30**      **Meeting Summary/Wrap-up** – *Chair/Vice-Chair/Committee*
- Actions & next steps
  - Agenda items for next meeting
  - Announcements
  - NGAC/Meeting Assessment
- 4:30**              **ADJOURN**

## **ATTACHMENT B**

**Santa Clara County Releases Its Geodata**

*(See article on the following page)*

## **Santa Clara County Releases Its Geodata**

September 16, 2009

After a three year legal battle, Santa Clara County finally provided a copy of its GIS parcel basemap data to the California First Amendment Coalition (CFAC) in compliance with California's Public Record Act (PRA). Decisions from both the California Superior Court and the California Court of Appeal clearly affirmed that public agencies must provide their geodata in accordance with the PRA (California Government Codes §6250-6259). Generally, agencies can not charge a requestor of their geodata more than the direct cost of duplication, and they can not restrict how a requestor can use or redistribute the data. Santa Clara County had been selling its geodata for \$ 158,000; the cost CFAC finally paid was \$ 3.10 per disk, plus shipping.

"We have always believed that the public should have essentially free, unrestricted access to digital mapping data that were created by the government with public funds," said Peter Scheer, Executive Director of CFAC ([www.firstamendmentcoalition.org](http://www.firstamendmentcoalition.org)). "Not only does the public own the basemap, but the public interest will be served by making it available to companies, individuals, nonprofits, journalists -- and even other government agencies."

In addition to providing its geodata to the public, the PRA requires the County to pay CFAC's attorneys fees and costs incurred to assert its legal right to the data. Rachel Matteo-Boehm led the successful team at Holme Roberts & Owen, LLP ([www.hro.com](http://www.hro.com)) in this three-year battle for public access to public agency data.

"This has been a long and hard-fought battle requiring an enormous investment of time and effort, but the result is well worth it," said Ms. Matteo-Boehm. "At long last, we have a definitive Court of Appeal opinion that not only confirms the public nature of GIS basemap data, but also resolves several important legal issues of first impression that will bear on requests for other types of electronic records maintained by government agencies."

The Appeals Court affirmed the Superior Court decision that both the Critical Infrastructure Information Act and the accompanying Department of Homeland Security (DHS) regulations do not shield county parcel basemaps from public scrutiny. These Federal regulations make a distinction between submitters of Protected Critical Infrastructure Information to DHS, and recipients of such information from DHS.

The Appeals Court was also clear that California government entities do not have the right to use copyright law to restrict disclosure or impose limitations on the use of their data, which had been another one of the County's justifications for selling its data.

The Court of Appeal's decision was issued in February, and after the period for potential further appeal expired in April, the case was sent back to the trial court for a determination of the costs that the County would be permitted to charge for the geodata CFAC requested. It took another four months of negotiation to receive the County's most current data, in the format requested. The County shipped four disks with the requested data on August 26, 2009.

"Initially, the County tried to fulfill the Court order with a three-year-old copy of the geodatabase, then with last year's version," Bruce Joffe, founder of the Open Data Consortium project ([www.OpenDataConsortium.org](http://www.OpenDataConsortium.org)) and technical advisor to CFAC observed. "We insisted on the current version (Q3, 2009), in both .shp and .gdb format, which they eventually acceded to. Nevertheless, we had to request the 2008 annual version as well, because the 2009 version did not include the text annotation that is present in the 2008 version."

To date, the County has not provided adequate metadata to explain what all the tables and attributes are supposed to mean. Future PRA requests should seek adequate metadata, including the database dictionary, schema or E-R diagram, and descriptive documentation for users and GIS system managers, as well as the date of data capture, date the data was extracted from the geodatabase, and the basemap's projection, datum, state plane coordinate zone, and locational accuracy (or error tolerance).

Five years ago, 26 of California's 58 counties sold their GIS parcel basemap data for far more than the cost of duplication. This apparent violation of the PRA was taken to the California Attorney General's office by Dennis Klein of Boundary Solutions, Inc. ([www.boundarysolutions.com](http://www.boundarysolutions.com)) with the help of then-Assemblymember Joe Nation. After the A.G. wrote a legal opinion in 2005, stating that basemap data is subject to the PRA, 16 counties changed their data sales policy. With King County recently changing its policy since Santa Clara lost its appeal, and now Santa Clara becoming PRA-compliant, only eight counties remain in violation of the law.

"Acknowledgment is due to the many GIS professionals who supported the Open Data Consortium's efforts to develop a model data distribution policy, and who advocated for open geographic records according to the public records law," Joffe added, "especially to the 77 GIS professionals and organizations who co-signed the GIS Amicus Brief submitted to the Court of Appeal. Their opinions were noted by the Court."

Of the eight counties that still charge more than the direct cost of duplication for their parcel basemap data, Joffe hopes they will quickly reset their data cost policy according to the Court decision. With regard to the parcel descriptive attribute files that some Assessor Offices sell for over \$ 2,000, well, "that is a battle for another day."

Soon?

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For information, contact:

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