

November 20, 2013 [Sample Letter]

The Honorable Rhonda Sivarajah, Chair  
Anoka County Board of Commissioners  
Anoka County Government Center  
2100 3rd Avenue, Anoka, Minnesota 55303



**RE: Freely and Openly Available Publicly Produced Geospatial Data**

Greetings Commissioner Sivarajah,

I am contacting you on behalf of the MetroGIS Policy Board to encourage Anoka County to pursue and adopt policies which make its public geospatial data freely and openly available.

At present, cities and counties in Minnesota do not have a uniform approach to making their geospatial data available to the public. Based on varying interpretations of state statutes, there are a range of practices in place which may not be serving the highest and best uses of public agency resources in discharging efficient and transparent service to the public regarding geospatial data availability.

Based on our on-going research, review and deliberation, we, the MetroGIS Policy Board support the local government entities of the Seven Metropolitan Counties of Anoka, Carver, Dakota, Hennepin, Scott, Ramsey and Washington in adopting resolutions, policies and practices which:

- *Make public geospatial data freely available in readily consumable electronic formats to the public either via their websites or a trusted data clearing-house resource;*
- *Provide information systems management staff and senior GIS staff maximum flexibility in their operations and decisions to make these public geospatial data available;*
- *Remove the requirement of license agreements on users of public geospatial data;*

In support of the recommendation advanced in this letter, we submit the enclosed body of references and resources to assist your deliberation, decision-making and policy adoption.

If you require additional background information on this letter or the supporting materials which accompany it, please feel free to contact either myself or Geoff Maas, MetroGIS Coordinator at the Metropolitan Council at 651.602.1638 or via email at [geoffrey.maas@metc.state.mn.us](mailto:geoffrey.maas@metc.state.mn.us)

Regards,

Terry Schneider  
MetroGIS Policy Board Chair  
Mayor, City of Minnetonka

Enclosure

CC: Commissioner Jim Kordiak, GIS Manager John Slusarczyk

## MetroGIS Overview

**What is MetroGIS?** MetroGIS is a voluntary collaborative of government agencies (representing municipal, county, regional, state and federal interests) as well as non-profit, private sector and academic partners that produce and consume geospatial data in the Seven Metropolitan Counties. This collaborative, has been in continuous operation since 1996, and is funded and administered by the Metropolitan Council with the following overall goals:



- *To define and address shared needs for geospatial data and data standards;*
- *To collaborate on projects to address these identified shared needs and leverage cost savings;*

**MetroGIS Policy Board.** Since 1997, the MetroGIS collaborative has been governed by a Policy Board composed of elected officials and senior agency representatives. The current MetroGIS Policy Board members include:

**Terry Schneider, Chair**  
Mayor of Minnetonka

**Randy Maluchnik, Vice Chair**  
Carver County Commissioner

**James Kordiak**  
Anoka County Commissioner

**Victoria Reinhardt**  
Ramsey County Commissioner

**Chris Gerlach**  
Dakota County Commissioner

**Mjyke Nelson**  
Washington County Information Technology Director

**Steve Elkins**  
Metropolitan Council

**Randy Johnson**  
Hennepin County Commissioner

**Dave Menden**  
Scott County Commissioner

**Deborah Goettel**  
Mayor of Richfield

**Mary Texer**  
Capitol Region Watershed District

More information about the MetroGIS collaborative can be found here:  
<http://www.metrocouncil.org/Data-Maps/MetroGIS.aspx>

## Free & Open Data: Issue Overview and Context

**What is public geospatial data?** Public geospatial data are data which contain explicit geographic positioning information as an integral part of its composition. Examples of this data can include things like road network data, tax parcel data or geo-referenced satellite imagery. Cities and counties collect, develop, maintain and manage many kinds of public geospatial data to successfully perform their various business operations.

### **What do the definitions of *free and open* mean when applied to geospatial data?**

We understand the definition of geospatial data as being '*free*' in that no charges would be assessed to data consumers beyond that which is directly associated with the cost of making and certifying copies. No monetary charge would be assessed to consumers for this data as it is made available in its native electronic format. 'Electronic geospatial data' is defined in MN Statute Chapter 16E, Section 30, Subd. 10.

Data producing governments would retain the right to charge for customized requests such as development of specific maps, applications or customized versions of the data as governed by applicable language in the Data Practices Act.

We understand the definition of geospatial data as being '*open*' in that data consumers would not be required to sign a license agreement to access or use the data, that they are able to share the data with other parties and there are no restrictions on their use of the data. Data producers would provide a disclaimer of the accuracy of the geospatial data at the initial point of contact to which the public has general access as per MN Statute Chapter 466, Section 3, Subd. 21.

Our application of term '*open*' only includes public data and does not include categories of data defined in the Data Practices Act (Minnesota Statutes Chapter 13) as *confidential, private, nonpublic* or *protected nonpublic*.

### **Benefits of making public geospatial data freely and openly available:**

Over the past several years, the MetroGIS Policy Board has monitored and debated the issue of public data availability—most directly in the context of geospatial data—between governments and beyond governments to private businesses and the public at large.

After numerous discussions and reviews of research presented on the topic, the MetroGIS Policy Board supports the practice of free and open data, and supports the following tenets:

- The citizens, businesses and governments of the Seven County Metropolitan Region would be better served by the full, unfettered, availability of all non-sensitive public geospatial data;

- The current practice of the sale of data has not yielded the expected flow of revenue while processing, administration and licensure of data requests consumes valuable staff time;
- The data is a public asset, and can be thought of as a form of ‘virtual infrastructure’, the investment in which can be maximized by its widest possible availability;
- Managerial and senior technical staff members from the Seven Metropolitan Counties are in agreement that this direction is desirable and would offer them the flexibility and expanded ability to provide better public service at lower taxpayer expense;
- Several Minnesota counties outside of the Seven Metropolitan Counties have already embraced free and open data practices with positive results. The current national trend is also moving in this direction with counties in many states taking the initiative to make their data freely and openly available;
- Providing data openly and freely demonstrates governments’ desire to keep pace with the technological sophistication and increasing data demand of its citizens;

## Supporting Documentation

In support of our position, we offer the following body of resources enclosed for your review and reference.

*A single-page fact sheet: “**Making Public Data Open and Freely Available**”*

*A **Resolution of Support** adopted by the MetroGIS Policy Board for Free and Open Data on October 23, 2013;*

*A **Sample Resolution Language resource** prepared by MetroGIS for the use of governments producing geospatial data and wishing to adopt a formal resolution promoting free and open public geospatial data;*

**“MetroGIS Free & Open Access to Data: Research and Reference Documents”**

*This document contains several concise documents in one volume:*

- *Summary White Paper: “**Making Public GIS Data Free & Open: Benefits and Challenges**”*
- *Existing Practice Interviews;*
- *Public Data Case Law Summaries;*
- *Minnesota Statute Language Relevant to Data Availability;*
- *Disclaimer Language Samples;*