



# COUNTY OF SACRAMENTO

## INTER-DEPARTMENT CORRESPONDENCE

FOR THE AGENDA OF:  
June 4, 2009

TO: Information Technology Policy Board  
From: Roger Ewers, GIS Manager  
Subject: GIS Data Dissemination Policy

### **1. Recommendation:**

Replace the County's 1998 Geographic Information System Data Dissemination Policy by approving the GIS Data Dissemination Policy in attachment A.

### **2. Background**

Sacramento County GIS (County GIS) maintains over 100 types of spatially-referenced data within a geographic information system (GIS) and has operational responsibility for the county's parcel and street centerline basemap layers. County GIS also provides access to Department-specific data within a GIS mapping context as a service to the Departments that own the source data. Most GIS data layers are available to GIS users and the public through GIS viewers, data downloads via the Internet, or by specific request.

The County's 1998 Geographic Information System Data Dissemination Policy approved open access to GIS data, but did not establish a County policy for data security. Much of the 1998 document discusses the pros and cons of cost recovery for GIS data, an issue that went away many years ago as open access to GIS data became widely accepted by local governments. However, the document contains no discussion about data security issues.

The safeguarding of data has been widely discussed within government circles since the events of September 11, 2001. The Federal Geographic Data Committee (FGDC) advises that "safeguarding is justified only for data that contain sensitive information, that are the unique source of the sensitive information, and for which the security risk outweighs the societal benefit of dissemination" (Guidelines for Providing Appropriate Access to Geospatial Data in Response to Security Concerns", National Spatial Data Infrastructure, June 2005). The FGDC Homeland Security Workgroup has recommended that records to be exempted from disclosure would concern critical infrastructure information, but only to the extent that the information:

- a) is not readily observable by the public;
- b) is not publicly available from sources outside the government;
- c) is of significant use to potential attackers;
- d) would, if disclosed, create security risks that significantly outweigh the public benefits of disclosure.

The Sacramento County Department of Water Resources and the Sacramento Regional County Sanitation District maintain that certain critical infrastructure information that they have responsibility for are of a sensitive nature and should not be made available to the public due to the threat of potential terrorist or sabotage actions. As defined in section 212 of the Federal Critical Infrastructure Information Act (2002), critical infrastructure information is "information not customarily in the public domain and related to the security of critical infrastructure or protected systems".

### **3. Discussion**

Sacramento County currently provides access to GIS data from a County web site. The benefit of providing open access to GIS layers is substantial. Open access makes it possible for private citizens, businesses, academia, and other government agencies to conduct mapping and geographic analyses without having to create their own data, or pay prohibitive prices for data. Use of common data layers by a multitude of organizations often introduces added value to those data. As an example, Sacramento County shares street centerline data with the City of Folsom. When Folsom adds new streets to the street centerline database, Sacramento County benefits from having up-to-date information. While nearly all geographic features are releasable to the public, some very specific features should be excluded from a data dissemination policy.

On February 6, 2009, in the case of County of Santa Clara v. California First Amendment Coalition, the California Sixth District Court of Appeals held up the public's right of access to geographic information system basemap data, which depicts parcel boundaries within a county. The Court of Appeal determined that Santa Clara County must make its parcel basemap available to the public at a reasonable cost, and rejected arguments that U.S. Homeland Security regulations and Federal Copyright protection override the public's right of access under the California Public Records Act. This court case has raised public awareness regarding the availability of data held by government agencies and, in response, Sacramento County GIS recommends establishing a policy for the dissemination of GIS data.

### **4. Impact of Implementing this Policy**

Sacramento County will benefit from having a policy that explains what data is not available to the public for security reasons. Staff will have clear guidelines on what data can be distributed, and the policy can be cited in those instances where a request is to be denied for data security reasons.

Implementation of this policy will affirm that Sacramento County provides the public with open access to most GIS data. Departments will be required to specify which of their data will be excluded from any distribution and, in the event that a GIS layer is requested via the Freedom of Information Act that otherwise contains data excluded by this policy, prepare a distributable version of that GIS layer by extracting the sensitive details from that data layer prior to distribution.

# Attachment A

## GIS Data Dissemination Policy

Sacramento County provides access to geographic information that is maintained by the County with the exclusion of data that has security restrictions.

### **Distribution methods**

- Download from County-maintained Internet site
- Electronic transfer (via e-mail attachment, ftp)
- Electronic media (CD, DVD, detachable hard drive)

### **Data Distribution format**

GIS layers are distributed in ESRI shapefile format. Raster image data are distributed in MrSID or .tiff format

### **Excluded data**

The following GIS data layers are critical infrastructure information and are excluded from public distribution:

1. Water distribution and production infrastructure
2. Sewer treatment plant infrastructure

The Directors of Water Resources and the Sacramento Regional County Sanitation District in their sole discretion may authorize the release of such data maintained by their department or agency to licensed civil engineers for the purposes of infrastructure planning and design.

### **Disclaimer**

The following disclaimer statement is included with public distributions of GIS data:

“Sacramento County makes no representations about the suitability of the information contained in the documents and related graphics published on this document, disk, e-mail attachment, or server, for any purpose. All such documents and related graphics are provided "as is" without warranty of any kind. Sacramento County hereby disclaims all warranties and conditions with regard to this information, including all implied warranties and conditions of merchantability, fitness for a particular purpose, title and non-infringement. In no event shall Sacramento County be liable for any special, indirect or consequential damages or any damages whatsoever resulting from loss of use, data or profits, whether in an action of contract, negligence or other tortuous action, arising out of or in connection with the use or performance of software, documents, provision of or failure to provide services, or information available from this document, disk, e-mail attachment, or server.

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