

Geospatial Data Sharing Work Group

Sponsored by the Joint Legislative Committee on Information Management & Technology (JLCIMT)
and the State Chief Information Officer (State CIO)

Meeting Notes

Date and time of meeting:	May 20, 2016 (10:00 AM - 2:00 PM PST)
Meeting venue:	Commission Room, Dept. of Land Conservation & Development
Minutes drafted by:	Cy Smith, State Geospatial Information Officer (State GIO)

1. CALL TO ORDER – Sean McSpaden, JLCIMT Committee Administrator

The meeting was called to order at approximately 10:00 am PST. Meeting attendees were:

Pete Boone – Tualatin Valley Water District
Jeff Frkonja – Portland Metro Research Center
Eric Brandt – Lane Council of Governments
Tom Rohlifing – Marion County Assessor
Jimmy Kagan – PSU Institute for Natural Resources
Ken Kato – UO Campus GIS & Mapping
Molly Vogt – City of Gresham GIS
Mike Schrankel – Hood River County GIS
Dean Anderson – Polk County IT Director
Cy Smith – Office of State CIO, GEO
Erin Doyle – League of Oregon Cities

Sean McSpaden - Legislative Fiscal Office
Jerri Bohard – ODOT Trans. Development Manager
Mark Tennyson – Oregon Emergency Management
Holly Mercer – DOGAMI Deputy Director
David Williams – PLSO Legislative Committee
Jerry Martin – Oregon State Police, Dispatch
Jes Mendez – Oregon Employment Department
Curtis Cude – OHA Public Health Authority
Alex Pettit – State CIO
Theresa Burcsu – Office of State CIO, GEO

Guests were Connor Anderson, DOGAMI, Bob Harmon, OWRD, and John Prychun, DOR, Daniel Stoelb, OEM

2. WELCOME – ALEX PETTIT, State CIO

Alex made a few remarks to the group as a co-sponsor. He was the CIO in Oklahoma before coming to Oregon. He mentioned that geospatial data and technology there was under his authority, but that he had divested himself of that activity because he viewed GIS as a federated approach in OK and one that he wasn't going to be able to be successful at in the limited time he was likely to have there. He reminded the group that State CIO's generally have a very limited window of opportunity to accomplish their objectives. He said that the GIS group in Oklahoma had been unsuccessful at trying to do what he understood we are trying to do in Oregon. He said he recognizes that Oregon is a very different place than Oklahoma, and that he wants to listen to what the group is thinking and isn't there to direct their activities. He wants to ascertain the potential that we can be successful at solving some of the problems that have and are plaguing other states around geospatial data sharing. He thanked the group for their time on this effort, said he appreciated the Legislature's interest in resolving the issues, and said he thought there was a lot of potential for success.

3. REVIEW OF APRIL 8 MEETING NOTES – Cy

Cy handed out a synthesis of the meeting notes from the April 8 kickoff meeting of the Geospatial Data Sharing Work Group, primarily drawn from the facilitated portion of the meeting. The full meeting notes have been posted to the website. Cy walked through the synthesis of the notes, which will also be posted to the work group website shortly following this meeting.

Cy noted that bullet #3 in the synthesis involved some reading between the lines of what was said during the meeting. He offered the following thoughts related to that bullet. In the benefit/cost study conducted 10 years ago by OGIC, the findings indicated that wasteful spending on geospatial information collection, management and use was about equally distributed between State and local government in Oregon – about \$100M wasted annually at each level.

Questions were asked about the nature of the technological challenges noted in bullets #4 and #5. Cy indicated that technological solutions exist to solve the privacy, security and liability concerns about data sharing, but we haven't implemented them due to cost and legal issues. It was suggested that we should reword these two bullets slightly to indicate that the technological solutions exist but simply haven't been implemented.

Cy indicated that we face a significant challenge to ensure that all stakeholders have been properly engaged as we go forward. There are a lot of stakeholders that have not been seated at the table and won't be, but we must communicate efficiently with them soon.

A somewhat extended discussion followed the synthesis presentation related to critical infrastructure (CI) data. Pete Boone indicated that he was uncomfortable with the idea of sharing CI data with anyone outside the agencies that create that data. Ken Kato thought we should be able to define procedures for sharing CI data among those that should have access to it, but no one else. Dean Anderson cited an example from Polk County in which they have initiated a CI inventory with the cities in Polk County. That data will be shared within that group, and Oregon Military Department has expressed an interest in also having access to that inventory of data for purposes of helping to protect it in potential disasters. Jerri Bohard said we should recognize that there will likely be situations in the future that we can't now contemplate, and we have to try to write legislation that will accommodate those unforeseen circumstances.

Daniel Stoelb, the RAPTOR Coordinator at OEM, talked about the PCII program set up by the U.S. Department of Homeland Security which allows participants to protect their CI data while sharing it in a secure manner with others who have a need for that data and have been trained to keep it secure. OEM uses this program to control access to the secure version of RAPTOR, the State's situational awareness viewer and data library for first responders. Jerry Martin said he thought having CI data available in a secure way, such as the PCII program, for those who need it to be able to protect the infrastructure and the public was the right thing to do. Pete followed up by saying that his comments earlier were meant to indicate reluctance to having the CI data on a state server with non-CI data. Sean mentioned that CI data had been defined in in HB4056 and that we would intend to do the same in any new bill, to indicate that CI data would be exempt from public disclosure.

Jeff Frkonja asked that we add a bullet to the Solutions portion of the synthesis to say that we need to create productive governance mechanisms around data sharing.

4. TAX LOT FRAMEWORK DATA PRESENTATION – Tom, Dean, John and Bob

At the last meeting, we heard from ODOT about how road centerline data is collected from county and city public works departments around the state, aggregated with state and federal road centerline data, and provided periodically to the Oregon Spatial Data Library at GEO to be made accessible to all public bodies and the public at large.

At this meeting, we heard from Tom Rohlifing, Marion County Assessor, and Dean Anderson, Polk County IT director, about how tax lot data is collected and compiled at the local government level. There were several key points made by Tom and Dean, including:

- Marion County redacts personally identifiable information from the tax lot database for those individuals who have chosen to take advantage of the legal public records exemptions. That information is not kept in the County tax lot database. In Polk County, they do keep that

information in the County tax lot database, but redact it before the information is passed to the Department of Revenue as part of the ORMAP program.

- Tom talked to the Assessor or staff in all five counties that have chosen not to sign the ORMAP data sharing agreement that would allow tax lot data to be shared with all state agencies. He said they all expressed concern with sharing the data with all state agencies, and that concern is likely to be even higher when expanding to all public bodies.
- Tom also said he thought there was likely concern by those five, and perhaps others, with signing any agreement to share data.
- Tom also said he hadn't talked to any Assessor who indicated that revenue from selling data was a significant factor. Any revenue generated from data sales goes to the General Fund, not back to the Assessor.
- Dean said Polk County has stopped asking for a data sharing agreement to be signed. They added a small fee to document recording fees, which now funds provision of tax lot data to all. There is tremendous variability from county to county in how they handle tax lot data accessibility.
- Tom indicated that many counties don't have IT staff and several said they would likely not have any GIS staff in the next year or more. Several counties still contract for tax lot services with DOR or another county.
- Dean walked through a series of slides illustrating the process his staff follows to compile tax lot data, convert it to the state standard and send it to the ORMAP program. The slides will be available on the work group website. They use a data license click through agreement on the Polk County website for public access. They add annotation to the maps and provide data downloads to the public, which is not part of ORMAP.
- Sean mentioned that, for about four years in the recent past, OGIC had agreed to use a portion of the framework data development funds to provide \$1,000 to each county that agreed to share tax lot data with the Department of Revenue and state agencies in the ORMAP standard format. Tom and Dean both indicated that, even though the amount was tiny, most Assessors indicated it was important.

John Prychun with the Oregon Department of Revenue walked through a slide show illustrating what ORMAP does with tax lot data that they gather from all the County Assessors. John's slides will be available on the work group website.

- John talked about the ORMAP Tools Committee that developed a number of very useful tools that have significantly improved the process of getting all tax lot data into the state standard format.
- Dean said the data quality checks are important. When ORMAP finds problems, they notify the county and the county makes corrections.
- ORMAP only checks the content of the data for the tax lot number and the map number.
- There have been three data sharing agreements used by ORMAP to allow data sharing of tax lot data with all state agencies. The latest agreement is the first to allow state agencies to make tax lot data viewable on their individual websites with other data. The data is not available for download.
- Sean asked whether John or anyone else involved in the program were aware of any instances of state agencies releasing the tax lot data inappropriately. John said he was unaware of any instance of that kind.
- It is not, at this time, possible to create a web service of statewide tax lot data that can be consumed by other websites. One can only view statewide tax lots now via the ORMAP website.
- John indicated that the ORMAP program has pursued access to tax lot data statewide because the ORMAP enabling legislation mandates it. The ORMAP program improves the ad valorem tax program in Oregon, enabling a more equitable tax system.
- It takes several months to process the data as it comes in from the counties and make it available to the Spatial Data Library. The tax lot data is updated continuously over the course of the year by the Assessors staff in each county, but the data is only sent to DOR, and then to the Spatial Data Library, on an annual basis at the beginning of the calendar year, corresponding to the assessment year. This timing was a decision made by the geospatial community 10+ years ago.

Bob Harmon with the Oregon Water Resources Department walked through some slides to illustrate how one state agency uses the tax lot data. Bob's slides will be available on the work group website.

- Bob has to check to see if any of the field names have changed for any of the fields, which does happen from time to time. If so, he has to recalibrate his databases so that they match up with the new tax lot data. There are some differences county to county that make this difficult.
- Bob has developed SQL code to compile the 36 county tax lot data sets into a statewide data set.
- For the counties that don't come to the Spatial Data Library through the ORMAP program, Bob has to go to each, sign their license agreement if there is one, and then add their data to his statewide tax lot data sets using his SQL code.
- OWRD uses the tax lot data to tell current/potential land owners whether a water right exists for any given tax lot. They also use it to inform staff conducting field inspections related to water wells. Bob said it's problematic not to be able to show tax lots on the same web maps that display water rights and other data, which would allow landowners to see whether water rights exist on their property.

Jimmy Kagan with the PSU and OSU Institute for Natural Resources talked briefly about the need for tax lots to help with an application that would allow developers to know if there are endangered species or wetlands on potentially developable property. That is not something that can be easily determined now because tax lot data is not readily available. A web service that makes the tax lot data viewable in combination with other data, consumable by any application, would resolve this problem. That is only possible now for five counties now, and can only be done by state agencies.

5. SUBGROUP RECOMMENDATIONS – Subgroup

Cy presented three recommendations from the Data Sharing subgroup:

- Approve Legislative Concept summary and direct sub-group to draft LC
- Direct sub-group to create a data sharing presentation slide deck for use in communicating with the stakeholder community.
- Endorse pilot project concept and small funding appropriation in 2017 legislative session (or repurposing of existing FIT funding) to test data sharing technology and process beginning July 2017 and concluding July 2018, with potential to make larger funding request in 2019 legislative session.

Legislative Concept Summary

Sean walked the group through the LC summary that was developed from the initial Data Sharing Work Group (DSWG) meeting on April 8 and the two sub-group meetings that were held on April 25 and May 13, 2016. The LC summary is posted on the work group website. The summary begins with a Problem Statement that is basically taken from the LC summary produced in November 2015 that led to HB4056, but now also includes a need for addressing governance issues, intergovernmental agreements, and the cost of geospatial data management and sharing.

The LC summary provides a high level view of proposed solutions to the identified issues, including:

- Establishment of the Oregon Geographic Information Council as a statutory body to address concerns about the singular role of the State CIO in HB4056 and the lack of any mention of the existing collaborative governance body and process that has been in place for over 30 years.
- Establishment of the Oregon Geospatial Enterprise Office and the State GIO position as supporting components of OGIC, following the previous and current Governor's Executive Order for OGIC and the model of the statutory establishment of the Statewide Interoperability Executive Council and the Statewide Interoperability Coordinator position...

- Establishment of a statutory fund (an OGIC Fund) that would form the foundation one or more funding mechanisms to address the cost issues related to geospatial data management and sharing.
- Requirement to share geospatial data between and among all public bodies, through a central repository operated and provided by GEO, with certain exemptions from fees and liabilities, specifically removing public bodies from the customers that would be charged for geospatial data from other public bodies.

Cy mentioned the need to add a concept to the LC that the sub-group requested to ensure that data aggregators were given a specifically identified role. Aggregators in various locations currently combine data from multiple local governments (e.g., Metro, LCOG, Jackson County, etc.). The sub-group agreed for the need to include the aggregator role, without negatively impacting any of the concepts currently included in earlier drafts of the LC related to data custodians, central repository, etc.

Sean asked for feedback and input on the LC summary, and ultimately an endorsement by the DSWG for the sub-group to draft a legislative concept for the DSWG to review. He answered a question about the role of OGIC in relationship to the State CIO. He indicated that the intent is to replicate the way in which the SIEC is established and operates, with OGIC and the resources that support it (budget and positions) established within the Office of the State CIO. It was suggested that we should add some language to the summary regarding this relationship. It was also suggested that we should ensure that we always use the term 'geospatial Framework data', and not shorten it to 'geospatial data', to avoid confusion. It was suggested that we need to have specific bullets in the solutions section of the LC summary related to privacy and liability.

It was suggested that we include in the LC summary some information about incentives for data sharing, but that incentives are only part of the solution. We need to reconcile the notion that fees are both good (fund data management) and bad (inhibit data sharing). Need to add some language that clarifies that there are different types of risk (CI, endangered species, archaeological sites, etc., not held securely vs. bad data or data being used incorrectly). Dean suggested that we add "..., in compliance with state privacy and confidentiality rules." to the end of the first sentence in the first bullet under Proposed Solution in the LC summary, that would resolve some issues folks in the Work Group were raising.

The question was asked about how administrative rules would be developed related to the proposed bill. Sean said the intent was to again follow the SIEC model whereby the State CIO and the SIEC both have separate rule-making authority. It was also mentioned that some counties have ordinances related to privacy, confidentiality, etc., and we should address that in the summary.

The point was raised that it is an option to simply not address the issues that have already been addressed in public records law related to privacy, confidentiality, CI, etc., to avoid conflict. Sean said we could do that in a legislative concept and a bill in several ways, one of which is to simply acknowledge that there are laws already in effect that deal with those issues in particular ways. Cy indicated that, if we add explicit language to address those issues now, stakeholder confusion and uncertainty may remain as barriers to data sharing, as they are now, and that he believes we should try to knock as many of these barriers down as possible now with explicit language within the LC. It was also raised that we should do our best to communicate, through the legislative concept, the draft bill, and our communication strategy, to alleviate concerns that we are trying to include data that should be private or confidential. If we define all Framework elements in the bill, we might alleviate some concerns, but we would be taking that definition out of the hands of the collaborative governance structure that the Work Group has said is essential. Part of the solution to these concerns is to make it clear to all that we are not talking about sharing data with the public, but only between public bodies that are all subject to the same core public records and confidentiality laws.

Based on the discussion at this meeting, and given changes and suggestions above, the sub-group was tasked with drafting and proposing a data sharing legislative concept for the next DSWG meeting.

Funding Recommendation

Issue raised about how we should appropriately phase the work to implement data sharing in terms of a pilot and any funding requests we might make of the Legislature. Large fiscal impacts of a data sharing bill will make for a very high hurdle.

Sean indicated that there was consideration in the last Session to simply trying to pass a bill that only established the governance structure, but he said he would recommend in this coming Session to try to go as far as we can with the full concept, including governance structure and data sharing requirements, but without a fiscal impact, or at least a significant fiscal impact.

Part of the sub-group discussion was related to the idea that OGIC would be involved in proposing budgets and costs for Framework data sharing and management (to include the spatial data library) going forward, which in cooperation and coordination with the State CIO, will provide a path to get those budget considerations to the Governor and to the Legislature.

Cy indicated that, with the help of a small group, a pilot project description could be developed that would include testing the technology to enable data sharing through a central repository, including technology in local governments to create/edit geospatial data, as well as testing the work flow and processes that would be necessary to make this happen across multiple levels of government, and potentially establishing the new governance structure.

There was some discussion by the members of the sub-group (Dean, Ken, Molly, Jeff, Sean, Renee, Theresa) related to the thought process for coming up with the funding and pilot recommendation. Governance was a key point in that thought process. If we could test the governance mechanism related to one of the Framework themes, it would provide significant information about how to do this for all the data themes, including key data about how much it will cost and how to make funding decisions. Working with the data creators, aggregators, and distributors for a particular data set or theme will effectively test the governance structure and technology for data sharing.

Tracking the costs and benefits of geospatial Framework data sharing is something we should be doing as we proceed. The King County ROI study in 2012, which we used again to assess the benefits realized in Oregon for the RAPTOR program in 2014, utilized a form of tracking that could probably be customized for this pilot project and for data sharing in general going forward. It was developed for the King County study by an economist at the University of Washington.

It was suggested that we should divide what was described as a single pilot project into three separate projects, with FIT funding repurposed for the technology and data elements, and asking for funding from the Legislature for the governance pieces of the pilot.

The DSWG endorsed the sub-group to begin discussions of use of FIT funding for a pilot project. We do need to have a success story to present to the Legislature in the 2019 session, so we should take care not to bite off more than we can chew. We don't want to risk the statutory establishment of the Council by making it part of a single pilot project that may or may not be entirely successful. It takes time to set up a new governance structure. One year is a relatively short time to set up a new structure and make significant progress that could be perceived and presented as a success story.

On the other hand, we aren't starting from scratch, so perhaps it can be done more quickly. Using some of what already exists in terms of governance, standards and technology may enable us to make progress on a pilot project more quickly than we might otherwise. We also need to properly set expectations about what the pilot project is about and that it's not a pass/fail test, but rather something from which we will learn.

Communications Recommendation

Sean and Cy worked on a slide deck for communicating to the broader geospatial community about the work group and our efforts on data sharing issues and solutions. It pretty much summarizes the LC

summary that was presented earlier in the meeting. A revised slide deck will be made available on the work group website soon.

The following revisions were suggested:

- Don't need the slide on meeting dates and times, just keep the link to the website and number of meetings.
- Message now is that we tried and failed to get legislation last session, so we're trying again
- Message should be that we tried to make a small fix, but we found in that process that a larger fix is actually needed.
- We should start with the purpose statement, not with the problem statement
- OGIC has been trying to deal with data sharing for 15 years; we've been failing for a long time. ☺
- We've been working on data sharing in an ad hoc fashion, but we've now reached a point where we need to deal with some of the really tough issues in a more formal way with legislation...to complete the long-standing body of work.
- We tried to get a complex piece of legislation in a short Session, and legislation is difficult. We needed more time to make it happen than was possible in that compressed timeframe. The data is really important to a lot of folks and businesses that rely on state agencies, in addition to local governments, to provide comprehensive, complete statewide data that enables them to make decisions and support their business.
- We're sharing data now, but it costs a lot to set up that data sharing because the environment isn't conducive to data sharing processes.
- Lay out the LC structure and have the discussion in the slides follow that structure, so that folks will remember that discussion from the slides when they see the LC draft.
- Need to be more definitive about Framework content, to mute the concern about it being everything.
- Include the concept about having a rolling start as to when everything could take effect. Governance and organizational structure could take effect first while fees for cost recovery might be phased out, for example, rather than instantly eliminated, which could be too disruptive.

7. NEXT STEPS – Sean and Cy

Subgroup will draft LC and modify LC summary, for review by the DSWG at the next meeting.

Slide deck will be modified and reviewed by the subgroup, then submitted to the DSWG for review at the next meeting.

Sean and Cy will explore the development of a webinar that folks can use to initiate discussion with various groups

Subgroup will work on a pilot project description and flesh out the funding and pilot strategy for review by the DSWG at the next meeting.

The meeting was adjourned at approximately 2:00pm PST.