

Acceptable Use Agreement For the 2002 Delaware False-Color Infrared Digital Orthophotography

Applicant: _____

Delaware's 2002 orthophotography has been made publicly available on-line¹ and via publication in a simplified version (1-meter pixel resolution) to reduce potential security risks. This version of the data is available for all public uses but shall not be re-sold or otherwise used for commercial purposes.

This **Acceptable Use Agreement** governs access to the full-resolution version (0.25-meter pixel) of the 2002 orthophotography. Applicants that agree to abide by the policies and restrictions outlined in this document may be granted use of the full resolution data set, subject to periodic review by the Delaware Spatial Data Implementation Team (I-Team).

By signing this **Agreement**, the applicant agrees to abide by the policies and restrictions outlined in this document. This **Agreement** will be filed in the Office of the Secretary of the Delaware Department of Safety and Homeland Security.

General Statement of Policy

As a general policy, the 1-meter pixel resolution version of the 2002 Delaware False-Color Infrared Digital Orthophotography shall always be used when practical and appropriate to the situation and need.

Acceptable Uses for the 0.25-Meter Resolution Data

The following are acceptable uses for the full resolution data set.

1. As a digital input or background image for general geospatial research and analysis activities.
2. As a digital input or background image for in-house geospatial data creation processes, including but not limited to:
 - a. Heads-up digitizing
 - b. Geospatial image analysis
 - c. Raster-to-vector data extraction
 - d. Data development, maintenance and editing
3. As a background image for printed maps intended for internal image-display and discussion purposes.
4. As backgrounds for, or web-map components of, intranet web mapping systems and applications used only within a secure network. Such web-maps shall not be made available to the public except in accordance with applicable law.
5. As a background image for public meeting display materials that will be withdrawn from public access immediately following the public meeting. Such

¹ <http://datamil.delaware.gov>

display materials shall remain under the control of the applicant and shall not be removed from the public meeting site except by the applicant. Where possible, and appropriate, use of the 1-meter pixel version shall be preferred for public display. The 0.25 Meter Resolution data shall only be used for public display when use of the 1-meter pixel version is not possible.

6. As a one-time print-out of an aerial photograph of a constituent or client's owned property, provided that the applicant determines clear ownership and subject to reasonable caution relating to potential security concerns of neighboring properties. Such determinations shall be the responsibility of the applicant.
7. Other uses, similar in nature, that shall be reviewed and approved by the Delaware Spatial Data Implementation Team (I-Team), in partnership with the Department of Safety and Homeland Security, as necessary.

Uses for Which the 1-Meter Pixel Version Shall be Substituted

The following are uses for which applicants shall substitute the 1-meter resolution version of the data.

1. For images published for public distribution as print materials, including maps, photo maps, aerial photos, posters, brochures, etc.
2. For images published for public distribution within all forms of electronic publishing, including but not limited to the use of document formats (DOC, HTML, PDF, etc.) graphic formats (GIF, TIFF, JPEG, etc.) or GIS raster formats (GeoTIFF, MrSID, etc.).
3. For images used as backgrounds for, or web-map components of, publicly available on-line web mapping systems and applications.
4. For images used in all other similar public presentation, viewing, or distribution.

Data Sharing

Any sale, distribution, redistribution, loan, data sharing, or offering for use of the full resolution data set, access to that data set, or any derivative at sub-meter resolution outside of the offices of the applicant listed above is prohibited. The 1-meter resolution data set may be freely shared, but shall not be re-sold.

Agreement to Abide by the Acceptable Use Policies

By signing this **Agreement**, the undersigned applicant agrees to abide by the above-listed acceptable use policies. Applicant further agrees to the following terms and conditions:

1. Applicant does not seek the disclosure of information that would violate the privacy rights of individuals;
2. Applicant agrees that any data provided pursuant to this **Agreement** shall be used solely by the Applicant and shall not be disseminated, transferred, sold or given to any other person, firm, or entity, except as provided by these Acceptable Use Policies;
3. The State of Delaware shall not be held liable for the completeness, accuracy or any deficiency in the information provided under this **Agreement**;
4. Applicant agrees to indemnify and hold harmless the State of Delaware, its agencies, officers and employees from and against any and all causes of action, demands, suits, or other proceedings of whatever nature and against any cost, loss, expense and damage resulting therefrom, arising out of any act or omission on Applicant's part in the use of information provided or in the exercise or enjoyment of this **Agreement**.

Please fill out the following, sign, date and send it to the Delaware Spatial Data Implementation Team, in care of the Delaware Office of State Planning Coordination, 122 William Penn Street, Suite 302, Haslet Building, Third Floor, Dover, DE, 19901.

Applicant: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-Mail: _____

Website: _____

Additional Office Locations: _____

Purpose(s) for Use of Imagery: _____

Geographic Areas Needed: _____

Applicant Representative

Name: _____

Title: _____

Signature: _____ Date: _____

Glossary of Terms for the Acceptable Use Agreement For the 2002 Delaware False-Color Infrared Digital Orthophotography

1-meter pixel resolution – Descriptive of digital orthophotography in which each pixel relates to a one-meter square of the area being photographed.

0.25-meter pixel resolution – Descriptive of digital orthophotography in which each pixel relates to one-sixteenth of a one meter square of the area photographed, or roughly a square foot.

Digital Orthophotography – Orthophotography presented in a digital format.

Digitizing – Creating new geospatial data within a GIS program.

False-Color Infrared – Infrared data presented in a non-infrared color scheme that mimics infrared data presentation but is more easily interpreted by viewers.

Geospatial Data – Information that identifies, depicts, or describes the geographic locations, boundaries, or characteristics of inhabitants and natural or constructed features of the earth, including such information derived from, among other sources, socio-demographic analysis, economic analysis, land information records and land use information processing, statistical analysis, survey and observational methodologies, environmental analysis, satellites, remote sensing, airborne imagery collection, mapping, engineering, construction, global positioning systems, and surveying techniques and methodologies.

Geospatial image analysis – Analysis of imagery, often orthophotography, using tools integrated in a GIS to extract or create new geospatial data.

GIS – Geographic Information System. Computer software program or collection of programs used to identify, depict, visualize, analyze, maintain or otherwise utilize geospatial data.

Heads-up digitizing – A common term for the practice of digitizing using existing data as an on-screen reference. In practice, an operator will typically "draw" the points, lines, and polygons of the new data on top of the reference data on the operator's computer monitor.

Orthophotography – Aerial photography that has been spatially rectified to match defined on-ground control points.

Photo maps – A combination of aerial photography and vector-based geospatial data to create a hybrid of photography and map. In photo maps, the aerial photography is used as a back-drop for the geospatial data.

Pixel – The basic building block of digital imagery. A pixel is a single point within an array of points that make up a digital image.

Raster – Images that are represented by a sequence of pixels (picture elements) or points, which when taken together, describe the display of an image on an output device.

Raster-to-vector data extraction –

Creating new vector-based geospatial data by the use of automated image analysis methodologies.

Vector – An abstraction of the real world in which positional data is represented in the form of a series of one or more coordinate points.

Web mapping systems – On-line, browser-based software tools for the presentation of geospatial data.

Web-map components – Part of on-line, browser-based presentation of geospatial data.