
State Government & Tribal Relations Committee

HB 1990

Brief Description: Concerning the Washington state aerial imagery program.

Sponsors: Representatives Ryu, Reed, Ormsby and Donaghy.

Brief Summary of Bill

- Directs the Consolidated Technology Services Agency to create an aerial imagery program for the purpose of providing aerial imagery services to state agencies, local governments, special purpose districts, and tribal governments.
- Provides specifications for vendor contracts and imagery characteristics.

Hearing Date: 1/10/24

Staff: Connor Schiff (786-7093).

Background:

State, local, and tribal governments use aerial imagery for a variety of uses, including air quality monitoring, assessing property value, disaster recovery, economic development, emergency management, forestry management, law enforcement, long-term planning, near-term planning, public health, public safety, shoreline management, site selection, transportation infrastructure, and utility infrastructure. In Washington, state agencies, local governments, and special purpose districts purchase aerial imagery data independently.

In 2022 legislation was enacted that directed the Department of Commerce to conduct an aerial imagery study to assess the uses and needs from state agencies, local governments, special

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purpose districts, and tribal governments. The Department of Commerce was also directed to provide recommendations to improve the collection and distribution of aerial imaging data.

The aerial imagery study determined, among other findings, that a high-quality aerial imagery program would be beneficial and yield a positive return on investment. The study recommended a one-year startup phase to plan to control imagery characteristics; hire staff, including a tribal liaison; and begin a vendor selection process. Additionally, the study recommended the program include certain imagery to meet the majority of users' needs.

Privacy Threshold Analysis.

A formal privacy threshold analysis (PTA) is the standard method used by state agencies to evaluate privacy concerns. A PTA is a questionnaire used to determine if an information technology system contains personally identifiable information, and whether a privacy impact assessment is required. A PTA includes review of the type of information collected, the individuals involved, the data classification level, and data use and sharing.

Summary of Bill:

The Consolidated Technology Services Agency (CTSA), commonly referred to as WaTech, is directed to establish a state aerial imagery program to provide aerial imagery services to local governments, state agencies, special districts, and tribal governments. The CTSA is directed to implement the program in a phased approach, subject to the availability of funds and in consultation with the Department of Commerce.

During the initial year-long phase of the program, the CTSA must develop a plan to control aerial imagery characteristics, hire staff, select one or more vendors to provide aerial imaging services, and conduct a formal privacy threshold analysis (PTA).

To implement the program, the CTSA must:

- acquire software and infrastructure for storing, distributing, viewing, and using the aerial images;
- create and maintain a statewide control network that provides spatial and image quality control for planimetric mapping purposes;
- conduct a formal PTA every five years or when technical specifications substantially change;
- conduct a privacy impact assessment if the PTA identifies personally identifiable information in the aerial images;
- develop a process to use aerial images of tribal lands in collaboration with tribal governments; and
- provide a report to the Legislature every five years, beginning in 2030, reviewing existing technology, providing a cost-benefit analysis of services, summarizing the formal PTA, and identifying recommended modifications to the program.

Aerial images must be collected at least every two years. Aerial image service users, which

includes local governments, state agencies, special purpose districts, and tribal governments, must be able to access the aerial images without charge. Users have the option to buy-up derived products or enhanced imagery at reduced rates.

The vendor contract must be a minimum of four years and a maximum of six years, allow seasonal collection of aerial images, and provide the agency with discretion to use the images in perpetuity.

Aerial images provided by the vendor must include:

- six-inch oblique air photos and ground separation distance orthoimagery statewide;
- three-inch oblique air photos and ground separate distance orthoimagery within urban growth areas and urban corridors;
- stereo pairs of orthoimagery;
- oblique air photo viewing tools or compatibility for measurement and calculations; and
- compatibility with software systems.

The Statewide Imagery Services Account is created in the State Treasury. Funds in the account may only be used for purposes of the state aerial imagery program.

Appropriation: None.

Fiscal Note: Requested on January 2, 2024.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.