

**INFRASTRUCTURE CONFIDENTIALITY AND
SECURITY POLICY**



REVISED: 02/16/06

INFRASTRUCTURE CONFIDENTIALITY AND SECURITY POLICY

1.0 Policy

It shall be the policy of the Water and Sewer Authority of Cabarrus County (WSACC) to control and monitor access to security sensitive data. WSACC will restrict plans, design drawings, aerial photography and similar documentation of its public infrastructure to only those individuals and organizations that require this information in conducting their business with WSACC and upon demonstration of such need. All requests will be evaluated and data provided will be based on the requirements of the project for which the data will be used. Requests for this information will be documented and maintained by WSACC, 232 Davidson Highway, Concord, North Carolina.

2.0 Definitions

- 2.1 **Public Infrastructure** - Includes WSACC's: (a) water and sanitary sewer system, (b) public buildings, (c) telecommunication and data communication networks, and (d) public security plans.
- 2.2 **Detailed Plans, Drawings and Documentation** - Electronic or non-electronic information that communicates the organization, arrangement, location, or an operational understanding in sufficient detail to endanger or otherwise compromise the security or operation of the facility or plan being communicated.
- 2.3 **Public Security Plans** - Includes any assessments, policies and/or procedures pertaining to the security of WSACC's infrastructure; i.e., Emergency Action Plan, Response Plans, and Vulnerability Assessments.
- 2.4 **Licensed Professional** - Shall include any individual licensed by the State of North Carolina in the professions of: (a) Professional Engineer, (b) Land Surveyor, (c) Architect, (d) Landscape Architect, or (e) General Contractor.
- 2.5 **Non-Licensed Professional** - Includes all Non-Licensed Professionals; i.e., business firms, professional associations, community groups, etc.
- 2.6 **Responsible Department Director** - The Department Director who is responsible for a particular public infrastructure. This includes: (a) Wastewater System – Operations Director or Engineering Director, (b) Water System – Operations Director or Engineering Director, (c) Public Buildings and Management of Information Systems – Engineering Director, or (d) Public Security Plans – Human Resources Communications Manager.
- 2.7 **Registration** - Tier I or Tier II access to WSACC's sensitive infrastructure data will require completion of an Application for Approval - See Attachment A for Licensed Professional, or Attachment B for Non-Licensed Professional. Registrations will remain in effect one year from the date of execution and must be renewed annually.
 - 2.71 **Tier I - Registration** that allows Licensed Professionals to request project specific security sensitive information. If the request is granted, the information may be delivered in hard copy or digital form.

- 2.72 Tier II - Registration that allows Non-Licensed Professional to request project specific security sensitive information. If the request is granted, the information may be delivered in hard copy or digital form.
- 2.73 Tier III - Allows individuals and firms not registered with WSACC as a Tier I or II to request access to project specific security sensitive information. If the request is granted, the information may be viewed. The information will not be delivered in hard copy or digital form.
- 2.8 Government Jurisdiction - An agency of North Carolina government, as defined in North Carolina General Statute 132-1(a), with whom WSACC does business.
- 2.9 GIS Data Sets - This policy deals with both complete and partial GIS Data Sets. Complete GIS Data Sets include all of a specific data theme or layer. A complete GIS Data Set of WSACC manholes would be all manholes owned and maintained by WSACC. Partial GIS Data Sets are subsets of the above complete data sets that are specific to a parcel of property or project area consisting of multiple partials.

3.0 Procedures/Rules

- 3.1 No plans, drawings, GIS Data Sets, documentation or aerial photography that details WSACC's public infrastructure, or the public infrastructure of the customers, or the governmental jurisdictions with whom WSACC provides services shall be available to the general public, except upon a demonstrated need as provided herein; or as may be agreed to by the customers of or the governmental jurisdictions with whom WSACC provides services.
- 3.2 Tier I: Requests for detailed plans, drawings and documentation of WSACC's public infrastructure by Licensed Professionals and their associated firms who have registered with WSACC and have been approved access to such information will be honored by WSACC. Data provided will be based on the requirements of the applicant's project and the discretion of the Responsible Department Director, or his/her designee. Only partial GIS Data Sets will be made available for other jurisdictional GIS Data Sets that WSACC does not have ownership of. Complete GIS Data Sets will have to be requested from the specific jurisdiction that has ownership.
- 3.2.1 Requests for Tier I approval for Licensed Professionals must be by written application (See Attachment A). The execution of the registration acknowledges the Licensed Professional's acceptance of and adherence to this policy.
- 3.2.2 The Responsible Department Director, or his/her designee, will grant requests for registration for each type of infrastructure.
- 3.2.3 Once approved, the original registration will be maintained by the Engineering Director, or his/her designee, with copies provided to WSACC staff as needed.
- 3.2.4 Once approved, only those Licensed Professionals or associates identified on the registration will have access to and be provided copies of detailed plans, drawings

and documentation of public infrastructure. Licensed Professionals and their firms may only use such data as required in the exercise of their profession.

- 3.2.5 The Engineering Director, or his/her designee, will maintain a log detailing each instance where a Licensed Professional or his/her associates receives information (electronic or paper) under this policy. This log will include the name of the individual, the date the information was released and a description of the data released.
 - 3.2.6 WSACC will request a picture identification (such as a valid North Carolina Driver's License) to confirm the individual's identity. The document may be faxed if the request is not made in person.
 - 3.2.7 Any person or firm receiving information in this manner is prohibited from otherwise copying or distributing the information to anyone outside of his/her immediate business concerns, and not directly related to the project for which the information was obtained.
- 3.3 Tier II: The Responsible Department Director, or his/her designee, may approve a registration and allow distribution of copies of detailed plans, drawings and documentation of public infrastructure to Non-Licensed Professionals, in cases where access to this information furthers a public policy or project. Only partial GIS Data Sets will be made available for other jurisdictional GIS Data Sets that WSACC does not have ownership of. Complete GIS Data Sets will have to be requested from the specific jurisdiction that has ownership.
- 3.3.1 Requests for Tier II approval for Non-Licensed Professionals, business firms, professional associations, or community groups, etc., must be by written application (See Attachment B) to the Responsible Department Director or his/her designee. Execution of the registration acknowledges the Non-Licensed Professional acceptance of and adherence to this policy.
 - 3.3.2 Tier II registrations can be granted if the request furthers public policy and does not compromise the security of the public infrastructure. Examples include: (a) firms bidding on WSACC projects, (b) neighborhood groups participating in community development activities or planning, or (c) other similar uses of the data.
 - 3.3.3 Once approved, only those individuals identified on the registration document will have access to and be provided copies of detailed plans, drawings and documentation of public infrastructure as described on the approved registration. Any request for information, not covered by the approved registration description and intended use, will require additional approval.
 - 3.3.4 Once approved, the original registration will be maintained by the Engineering Director, or his/her designee, with copies provided to WSACC staff as needed.
 - 3.3.5 The Engineering Director, or his/her designee, will maintain a log detailing each instance Non-Licensed Professional receives information under this policy. The log will include the name of the individual, the date of the information release, a description of the data released and an explanation of the need for the information.

- 3.3.6 WSACC will request a picture identification (such as a valid North Carolina Driver's License) to confirm the individual's identity. The document may be faxed if the request is not made in person.
- 3.3.7 Any person or firm receiving information in this manner is prohibited from otherwise copying or distributing the information to anyone outside of his/her immediate business concern.
- 3.4 Tier III: WSACC will not honor requests to distribute public infrastructure information to firms or persons not registered with WSACC as a Tier I or a Tier II approval. However, individuals and firms may view detailed plans, drawings or documentation of public infrastructure for the purpose of determining the proximity of the infrastructure to their property or a property of interest.
- 3.4.1 WSACC may request documentation of such need for information, if the sensitivity of the area or the scope of the request is unusual in nature, as determined by WSACC. (See Attachment D).
- 3.4.2 Copying or any other form of duplication of the viewed detailed plans, drawings or documentation will not be permitted.
- 3.4.3 The Engineering Director, or his/her designee, will maintain a log detailing each instance of Tier III information access under this policy. The log will include the name of the individual, the date of the information viewed, a description of the data viewed and an explanation of the need for the information
- 3.4.4 WSACC will request a picture identification (such as a valid North Carolina Driver's License) to confirm the individual's identity
- 3.5 WSACC will not distribute or allow access to view copies of Public Security Plans to Licensed Professionals, Non-Licensed Professionals or the general public. Release of information shall only be made to Law Enforcement and related agencies as mandated by North Carolina General Statutes.
- 3.6 All printed copies of detailed plans, drawings or documentation provided to individuals or firms under this policy must include a statement or legend reading as follows:

NOTICE

Sensitive information shall not be copied or distributed without the express written consent of the Water & Sewer Authority of Cabarrus County.

In compliance with North Carolina Public Records Law, all information provided has been created for WSACC's internal use. WSACC, its agents, and employees is not responsible for and nor shall be held liable for any errors in the data, including but not limited to, errors of omission, commission, content and or relative or positional accuracy. Data provided shall not be construed as a legal document. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10.

Water and Sewer Authority of Cabarrus County
P.O. Box 428
Concord, North Carolina 28026-0428
704-786-1783

- 3.7 This policy does not constrain access to WSACC's public infrastructure data by our served jurisdictions or other governmental bodies. WSACC will require a one time Written Confidentiality Agreement (See Attachment C) with each jurisdiction or governmental body requesting WSACC infrastructure data. WSACC asks and expects that discretion be used, and the intent of the law be followed to restrict this type of data from public domain use.
- 3.8 Any employee who routinely handles or otherwise has access to information covered under this policy will be required to be familiar with the policy. Any employee of WSACC in violation of this policy shall be subject to disciplinary action up to and including termination.
- 3.9 Any employee of WSACC who encounters requests for information that they believe may compromise the security or operation of the facility, or plans being communicated, should contact their supervisor and report the request.

4.0 Request for Approval to Obtain Sensitive Infrastructure Data

- Attachment A - Application for Approval of Tier I Registration for Licensed Professional to Obtain and Use Sensitive Infrastructure Data (Attachment A.1 for Detailed Description)
- Attachment B - Application for Approval of Tier II Registration for Non-Licensed Professional and Others to Obtain and Use Sensitive Infrastructure Data
- Attachment C - Infrastructure Confidentiality and Security Agreement
- Attachment D - Application for Tier III Registration for Firms or Persons not Registered with WSACC as a Tier I or a Tier II Approval

5.0 Consequences of Violations


Any violation of this policy or of the Tier I or Tier II registration application approval by Licensed Professionals or Non-Licensed Professionals, business firms, community groups or individuals and individuals working for the applicants, shall result in WSACC canceling all approvals and/or contracts with the violating party for cause. Further, WSACC shall not conduct business with or grant contracts to the violators for a minimum of five (5) consecutive years. In addition, WSACC shall seek recovery of any damages experienced as a result of the violations.

All existing contracts, as of the date of adoption of this policy, shall be amended to include this condition and all future contracts shall contain this condition except for WSACC legal counsel and WSACC member jurisdiction legal counsel.

Adopted this the 16 day of February, 2006


Michael M. Quickel, Chairman

ATTEST:


Tammy M. Garifo, Secretary

WATER AND SEWER AUTHORITY OF CABARRUS COUNTY
Application for Approval of Tier I Registration for Licensed Professional to
Obtain and Use Sensitive Infrastructure Data

This is a request by **LICENSED PROFESSIONAL(S)** authorizing representatives of their company to obtain sensitive maps, plans, GIS Data Sets, and other engineering information pertaining to WSACC's public infrastructure systems for their use in the practice of their profession, as per WSACC's Infrastructure Confidentiality And Security Policy, Section 3.2. Partial GIS Data Sets from jurisdictional Data Sets can be included as needed; i.e., Roads, Hydro, Parcel. **Please attach a detailed description of the information requested and its intended use. (See Attachment A.1)**

Category of Information Requested (Select Only One Per Form):

- Water System (Operations Director / Engineering Director)
- Sewer System (Operations Director / Engineering Director)
- Public Buildings (Engineering Director)
- Telecommunication and Data Network Systems (Engineering Director)
- Public Security Plans (Human Resources Communication Manager)

I hereby designate the following individuals of our organization to make requests for information as described above. As a condition of this approval we will immediately notify WSACC, in writing, if any of these employees are terminated or otherwise not authorized to obtain information under this Agreement. We may add employees in a similar manner.

Employees Authorized (Please Print): (If more names are needed, please attach a second sheet.)

_____	_____
_____	_____
_____	_____

I hereby agree that any material furnished to our company or our subcontractors will not be copied for transmittal to any other company. Approval of this request is conditional upon reading and accepting the terms of WSACC's *Infrastructure Confidentiality and Security Policy*, including contract termination, limits upon future work and payment of damages, if any. I understand and agree that WSACC provides no warranties of any kind about the data provided.

REQUIRED FOR APPROVAL:

NAME OF REQUESTING FIRM: _____

ADDRESS: _____

REQUESTED AND AUTHORIZED BY:

_____	_____	_____
(Printed Name)	(Title)	
_____	_____	_____
(Signature)	(Date of Request)	(NC Professional License Number)

WSACC APPROVED BY:

_____	_____	_____
(Name)	(Title)	(Date Approved)

WATER AND SEWER AUTHORITY OF CABARRUS COUNTY
Application for Approval of Tier II Registration for Non-Licensed Professional
and Others to Obtain and Use Sensitive Infrastructure Data

This is a request by NON-LICENSED PROFESSIONAL(S) to obtain sensitive maps, plans, data, and other engineering information pertaining to WSACC's public infrastructure systems as per WSACC's Infrastructure Confidentiality And Security Policy, Section 3.3. Partial GIS Data Sets from jurisdictional Data Sets can be included as needed; i.e., Roads, Hydro, Parcel.

Briefly describe the information requested and the intended use of the information:

Three horizontal lines for describing the information requested and its intended use.

Category of Information Requested (Select Only One Per Form):

- Water System (Operations Director / Engineering Director)
Sewer System (Operations Director / Engineering Director)
Public Buildings (Engineering Director)
Telecommunication and Data Network Systems (Engineering Director)
Public Security Plans (Human Resources Communications Manager)

List the individuals with your firm/organization/group that you authorize to make requests for information as described above. As a condition of this approval, you will immediately notify WSACC, in writing, if any of the individuals are no longer a member of your firm/organization/group or otherwise not authorized to obtain information under this Agreement.

Authorized Individuals (Please Print):

Two columns of horizontal lines for listing authorized individuals and their titles.

I hereby agree that any material furnished to our company or our subcontractors will not be copied for transmittal to any other company. Approval of this request is conditional upon reading and accepting the terms of WSACC's Infrastructure Confidentiality and Security Policy, including contract termination, limits upon future work and payment of damages, if any. I understand and agree that WSACC provides no warranties of any kind about the data provided.

REQUIRED FOR APPROVAL:

NAME OF FIRM/ORGANIZATION/GROUP:

ADDRESS:

(Printed Name) (Signature) (Date Approved)

WSACC APPROVED BY:

(Name) (Title) (Date Approved)

Water & Sewer Authority of Cabarrus County (WSACC)

Infrastructure Confidentiality And Security Agreement

Agreeing Parties:

Date:

1. _____ shall regard public infrastructure data provided by WSACC as confidential and proprietary. Information sharing shall be strictly limited to activities that are jurisdictionally specific. _____ shall have the right to display or map small portions of WSACC data as needed specific to a project or personal request. WSACC asks and expects that discretion be used and the intent of the law be followed to restrict this type of data from public domain use. All requests for complete data sets of WSACC infrastructure will be forwarded back to WSACC for evaluation.

2. WSACC shall regard public infrastructure data provided by _____ as confidential and proprietary. Information sharing shall be strictly limited to activities that are WSACC department specific. WSACC shall have the right to display or map small portions of _____ data as needed specific to a project or personal request. WSACC asks and expects that discretion be used and the intent of the law be followed to restrict this type of data from public domain use. All requests for complete data sets of _____ infrastructure will be forwarded back to _____ for evaluation.

3. Failure to abide by any term of this Agreement may result in cancellation of this Agreement upon written notice initiated at or in the discretion of either party. Nothing in this Agreement shall limit the legal rights and remedies of either party to seek damages, a declaratory judgment or an injunction in a court of competent jurisdiction.

4. _____ understands and agrees that WSACC provides no warranties of any kind about the data provided.

AGREED TO BY:

Water & Sewer Authority
of Cabarrus County

Other

By _____ By _____

Title _____ Title _____

Date _____ Date _____

**Water and Sewer Authority of Cabarrus County
Application for Tier III Registration for Firms or Persons
not Registered with WSACC as a Tier I or a Tier II Approval**

WSACC will not honor requests to distribute public infrastructure information to firms or persons not registered with WSACC as a Tier I or a Tier II approval. However, individuals and firms may view detailed plans, drawings or documentation of public infrastructure for the purpose of determining the proximity of the infrastructure to their property or a property of interest. WSACC requires documentation of need for the information. **Copying or any other form of duplication of the viewed detailed plans, drawings or documentation will not be permitted.**

Briefly describe what you would like to view and the purpose of the viewing:

Category of Information Requested (Select Only One Per Form):

- Water System (Operations Director / Engineering Director)
- Sewer System (Operations Director / Engineering Director)
- Public Buildings (Engineering Director)

I understand and agree that WSACC provides no warranties of any kind about the data viewed.

REQUIRED FOR APPROVAL:

NAME OF FIRM/ORGANIZATION/INDIVIDUAL: _____

ADDRESS: _____

(Printed Name) (Signature) (Date Approved)

WSACC APPROVED BY:

(Name) (Title) (Date Approved)