

Virginia Department of Historic Resources (DHR) Application to Obtain Spatial Data

The Virginia Department of Historic Resources (DHR) will enter into an agreement for complimentary access to GIS data with entities that further our mission statement “...to foster, encourage, and support the stewardship of Virginia's significant historic, architectural, archaeological, and cultural resources.” Such an agreement can be negotiated if access to the data benefits the resources and the end product will not yield a profit. Organizations that may fall into this category include: State Agencies, Federal Agencies, individual Virginia counties/localities, DHR strategic partners and other groups to be determined on a project-specific basis.

Company: _____
 Name: _____
 Address _____
 City, State Zip Code _____
 Telephone: _____ Fax: _____
 E-mail Address: _____

Define the area for the request.

***Note:** All spatial data *purchases* require a current V-CRIS editor(AH and or AE) or map services license.

| Area | Cost | Updates | Name of Locality or Project |
|---|--------------------|------------|---|
| <input type="checkbox"/> Single Locality: | \$500 | 3 per year | _____ |
| <input type="checkbox"/> Additional Localities: | \$100 per locality | 3 per year | _____ |
| <input type="checkbox"/> Commonwealth: | \$2000 | 3 per year | |
| <input type="checkbox"/> Project Specific | \$150 | none | Company supplies shapefile for project area to include required buffer. |

Define the type of data for the request.

Architectural Resources Archaeological Resources

Is this a Data Exchange between organizations? Yes No

If yes, describe data to be exchanged and any limitations on use. Please forward any agreements to be signed.

Intended Usage.*

*The custodian of this document and recipient of the geospatial data is responsible for maintaining provenance of the data. The custodian may only allow third party access to the data if the collaborator will be using the data for the stated purpose.

Data use is limited to the description below:

Virginia Department of Historic Resources (DHR) Conditions for Use for Spatial Data

From the Code of Virginia, the following Freedom of Information Act exemption applies to data distributed by the Department of Historic Resources:

Code of Virginia
§ 2.2-3705.7 (10)

Records containing information on the site specific location of rare, threatened, endangered or otherwise imperiled plant and animal species, natural communities, caves, and significant historic and archaeological sites if, in the opinion of the public body that has the responsibility for such information, disclosure of the information would jeopardize the continued existence or the integrity of the resource. This exemption shall not apply to requests from the owner of the land upon which the resource is located.

Use of DHR's spatial data is subject to the following:

1. User understands and acknowledges that release of precise locations may threaten archaeological and historical resources. User shall take reasonable precautions to ensure the security of site locations.
2. User shall only use the data for purposes cited in the accompanying "Application to Obtain Spatial Data," unless given permission for other purposes by DHR.
3. User will reference associated metadata for citation purposes.
4. User understands and acknowledges that the accuracy of these data is time-limited. Under no circumstances shall User continue using DHR-provided historic resource data for more than six months following its generation.
5. User will provide DHR with a list of any reports or printed materials prepared using Historic Resources data and will provide a sample copy of such material if requested by DHR.
6. Although DHR maintains high standards of data quality control, DHR makes no warranty that the data are necessarily accurate or complete. Data is supplied as is. User understands and acknowledges that these data are provided for planning and assessment purposes only. The absence of historic resources in DHR's inventory does not necessarily mean that no historic properties are present. It is possible that the area in question has not been systematically surveyed for resources.
7. Obtaining information on previously recorded historic properties does not constitute review under Section 106 of the National Historic Preservation Act. If a project is federally funded, licensed, or assisted, the federal agency may require you to obtain DHR comment under Section 106.
8. User will indemnify and hold DHR and its officers and employees harmless against any claims by third parties arising out of the use by User of the data provided hereunder.
9. This Agreement is the entire agreement between the parties with respect to the subject matter hereof. It shall be construed in accordance with the law of the Commonwealth of Virginia and may be amended only in writing signed by both parties.

By accepting the DHR spatial data and signing below, User agrees to abide by all of the above conditions. User shall sign below and return agreement to DHR to indicate receipt and acknowledgement of the terms of this agreement.

Signature: _____ Date: _____

Title and Affiliation: _____

| | | |
|-------------------------|----------|--------------|
| Agency Use Only: | Approved | Not Approved |
|-------------------------|----------|--------------|

Signature: _____ Date: _____

Julie V. Langan, Director and State Historic Preservation Officer