

Public Data Request Policy

POLICY STATEMENT

This policy is in effect for all persons or entities that come to the South Washington Watershed District (SWWD) to review files and all those who request information from SWWD via mail, facsimile, e-mail, over the telephone or in person.

BACKGROUND

The SWWD will attempt to fill all reasonable requests for information from its files and computerized databases (subject to the restrictions of the Minnesota Government Data Practices Act, copyright laws, and decisions of the Office of the Attorney General, and availability of staff time). When appropriate, fees will be charged to recover the costs incurred in providing such information.

IMPLEMENTATION

The SWWD's files are open to the public unless classified by statutes, or temporary classifications pursuant to Minn Stat. 13.06, or federal law, as non-public or protected non-public, or with respect to data on individuals, as private or confidential. The SWWD will keep its records containing government data in such an arrangement and condition as to make them reasonably accessible for inspections. Persons wishing to inspect files are asked to schedule an appointment at least two business days in advance with the SWWD designee. This two business days lead time may need to be extended for cases in which a file needs to be reviewed for confidential information, or in the event the district's designee is unavailable. Appointments are to be scheduled during SWWD's business hours on Monday through Friday between 8:30 a.m. and 4:00 p.m. File reviews will be scheduled as soon as possible, depending upon availability of the appointments and the status of the file. The staff will provide general assistance; however, the person requesting the information remains responsible for searching through the file to find the desired information.

DESIGNATED AUTHORITY

That the SWWD Administrator is designated as the responsible authority of Management of data practices of the SWWD.

FEES

No charge will be assessed if files are inspected and no copies requested.

If 100 or fewer pages of black and white, letter or legal size paper copies are requested, the responsible authority may charge no more than 25 cents for each page copied.

In all other circumstances, including where a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, compiling, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.

A person may indicate what they would like to have copied by tabbing the pages desired with the supplies provided by the SWWD. Individual pages identified by the requester will be copied and charged, in addition to the searching, retrieving, compiling and postal charges. A double-sided sheet is considered two pages. A person may pick up their copies at the SWWD office once they are completed, or make arrangements with the SWWD to have the copies mailed.

The SWWD will make arrangements with a vendor when a requested reproduction of agency photographs and slides, large maps, plan sheets, diskettes, videotapes or other media (since those documents are not allowed to leave the building). The prices will vary depending on the services desired. Quotes may be obtained from the SWWD Administrator.

The requestor shall pay all charges for copying and services provided by the SWWD in advance of receiving the requested information.

When a request for data involves any person's receipt of copies of SWWD data that has commercial value and is a substantial and discrete portion of or an entire formula, pattern, compilation, program, device, method, technique, process, database, or system developed with a significant expenditure of public funds by the agency, the SWWD may charge a reasonable fee for the information in addition to the costs of making, certifying, and compiling the copies, with the fee charged to relate to the actual development costs of the information. The SWWD will provide sufficient documentation to explain and justify the fee being charged.

Upon request of any person who is denied access to data, the SWWD will certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

These policies will be administered consistently with Minnesota law. In the event that a requester believes that these policies or implementations are contrary to Minnesota law, the requester may register an objection in writing with the Commissioner of the Department of Administration in accordance with MN.Stat. 13.072 who will provide a prompt ruling.

SUBMITTING YOUR DATA REQUEST

Direct your requests and all inquiries regarding data requests or the availability of data from SWWD to:

Administrator
South Washington Watershed District
2302 Tower Drive
Woodbury, MN 55125
(651) 714-3729