

Lac qui Parle-Yellow Bank Watershed Public Data Request Policy

POLICY STATEMENT

This policy is in effect for all persons or entities that come to the Lac qui Parle-Yellow Bank Watershed District (LQPYBWD) to review files and all those who request information from LQPYBWD via mail, facsimile, e-mail, over the telephone or in person. All requests to inspect or obtain copies of LQPYBWD data are to be in writing to ensure that the LQPYBWD's response is timely and complete. The LQPYBWD will provide this information as required by M.S. 13.03.

BACKGROUND

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

IMPLEMENTATION

The LQPYBWD's files are open to the public unless classified by statutes, or temporary classifications pursuant to M.S. 13.06, or federal law, as non-public or protected non-public, or with respect to data on individuals, as private or confidential. The LQPYBWD will keep its records containing government data in such an arrangement and condition as to make them reasonably accessible for inspection. Persons wishing to inspect files are asked to schedule an appointment at least two business days in advance with the LQPYBWD'S 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 LQPYBWD'S business hours on Monday thru Friday between 8:30 and 4:30 p.m. File reviews will be scheduled as soon as possible, depending upon the availability of the appointments and the status of the file. The staff will provide general assistance; however the person requesting information remains responsible for searching through the file to find the desired information.

DESIGNATED AUTHORITY

The LQPYBWD Administrator is designated as the responsible authority of management of data practices of the LQPYBWD.

FEES

Pursuant to M.S. 13.03, Subd. 3, if copies of information/documents are requested from files or electronically maintained information, the LQPYBWD will charge searching, retrieving, compiling and copying costs. Clients will be charged in quarter-hour increments. No charge will be assessed if files are inspected and no copies are requested.

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

The LQPYBWD will make arrangements with a vendor when clients request 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 by the client. Quotes may be obtained from the LQPYBWD file manager.

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

When a request for data involves any person's receipt of copies of LQPYBWD data that has commercial value and is a substantial and discrete portion of or an entire formula, pattern, compilation, program, device, method, technique, process, data base, or system developed with a significant expenditure of public funds by the agency, the LQPYBWD 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 LQPYBWD will provide sufficient documentation to explain and justify the fee being charged.

Upon the request of any person who is denied access to data, the LQPYBWD 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 Executive Director 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 the LQPYBWD to:

Lac qui Parle-Yellow Bank Watershed District
% Administrator
Courthouse, 600 6th Street, Suite #7
Madison, MN 56256

Phone: 320-598-3117
Fax: 320-598-3125
Trudy.hastad@lqpc.com