

## **Minnesota Department of Natural Resources Rights of the Public to Government Data**

September 2018

**This document is required by Minnesota Statutes, section 13.025, subdivision 2**

### **Right to Access Public Data**

The Data Practices Act (Minnesota Statutes, chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a government entity has created, collected, stored or maintained in order to do their work.

You have the right to look at (inspect), free of charge, all public data that the Department of Natural Resources (DNR) keeps. You also have the right to get copies of public data. And you have the right to look at data, free of charge, before deciding to request copies. The Data Practices Act does allow DNR to charge for copies.

### **How to Make a Data Request**

To look at or request copies of data, make your request to the Data Practices Compliance Official (DPCO) in writing. You may use the data request form provided but you are not required to use it. Send your request in writing by email, fax or letter and include the following information:

- that you, as a member of the public, are making a request for data under the Data Practices Act, Minnesota Statutes, chapter 13
- whether you would like to look at the data, get copies of the data, or both
- a clear description of the data you would like to inspect or have copied

DNR cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request e.g. to mail you copies of data, we may need some information about you. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we might not be able to process your request.

### **How We Respond to a Data Request**

Upon receiving your request, we will work to process it.

- If it is not clear what data you are requesting, we will ask you for clarification.
- If we do not have the data, we will notify you as soon as reasonably possible.
- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
  - Arrange a date, time, and place to inspect data, for free
  - Provide you with copies of the data as soon as reasonably possible. This depends on several variables like how many copies are requested, how many staff members are available to respond, and how many other data requests are being processed.



The Data Practices Act does not require us to create or collect new data in response to a data request. DNR does not have to provide data in a specific form or arrangement if the data is not kept in that form or arrangement. If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

### **Requests for Summary Data**

DNR will prepare summary data if the requestor agrees to pay the cost of preparing the data. Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals.

### **Copy Costs for Members of the Public**

The Minnesota Department of Natural Resources charges members of the public for copies of government data under Minnesota Statutes, section 13.03, subdivision 3(c).

- You must pay for the copies before we will give them to you.
- We do not charge for copies if the cost is less than \$10.
- We do not charge to inspect data or to separate public from not public data.

### **Charges**

**Paper Copies** (black and white, letter or legal size paper copies cost .25 cents for a one-sided copy, or .50 cents for a two-sided copy)

- For 100 or Fewer Paper Copies - .25 cents per page
- For 100 or More Paper Copies - Actual costs

**For All Other Copies** (data stored electronically, CDs, DVDs, maps, photographs, etc.)

### **Actual Costs**

Actual costs include employee time to search for and retrieve, make, certify, and electronically transmit copies; material costs (CD, DVD, etc.); and mailing costs. The cost of employee time is calculated using the hourly salary of the lowest paid employee able to complete the task, plus 20% for fringe benefits.

Requestors may be required to pay one-half of the estimated copy cost prior to search and retrieval. Considerations include the amount of data requested, number of locations data are kept, and number of staff required to conduct searches.

While DNR is conducting search and retrieval for a request, that request must be completed before DNR will proceed with any additional requests from the same requestor. Completed means documents have been provided or an inspection has taken place.

DNR Responsible Authority: Tom Landwehr, Commissioner  
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St. Paul, MN 55155

DNR Data Practices Compliance Official: Sheila Deyo  
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651.259.5345  
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**Submit requests to: [datarequest.dnr@state.mn.us](mailto:datarequest.dnr@state.mn.us)**