

PUBLIC RECORDS REQUEST POLICY

Adopted 9/22/2026

APPLICABILITY

Columbia Development Authority is not an agency of the State of Oregon (see Amended and Restated Columbia Development Authority Intergovernmental Agreement (2014)), nor is it a public body as that term is defined in the Oregon Public Records Laws. See ORS 192.311(4). However, pursuant to its Intergovernmental Agreement, CDA “shall be subject to the requirements of the...Public Records...laws of the State of Oregon.” Amended and Restated Columbia Development Authority Intergovernmental Agreement, Section 5.d. The requirements in this Policy do not supersede, modify or replace the existing or other legal responsibilities of the CDA.

PROCESS

Within five business days of a request to inspect or receive a copy of a public record submitted in compliance with this policy, CDA shall acknowledge receipt of the request or complete the public body’s response to the request. An acknowledgment under this subsection must:

- (a) Confirm that CDA is the custodian of the requested record;
- (b) Inform the requester that the CDA is not the custodian of the requested record; or
- (c) Notify the requester that the CDA is uncertain whether the public body is the custodian of the requested record.

Within fifteen business days or as soon as reasonably possible, the CDA shall:

- (a) Complete its response to the public records request; or
- (b) Provide a written statement that the CDA is still processing the request and a reasonable estimated date by which the CDA expects to complete its response based on the information currently available.

Pursuant to ORS 192.311(5):

(a) “Public record” includes any writing that contains information relating to the conduct of the public’s business, including but not limited to court records, mortgages, and deed records, prepared, owned, used or retained by a public body regardless of physical form or characteristics.

(b) “Public record” does not include any writing that does not relate to the conduct of the public’s business and that is contained on a privately owned computer.

PUBLIC RECORDS REQUEST FORM & SUBMISSION

Any person (as defined in ORS 192.311(3)) who seeks to inspect a public record (as defined in ORS 192.311(5)) shall submit a public records request through the Columbia Development Authority website. Alternatively, requests shall be delivered via email to cdaemilyc@gmail.com or by mail to PO Box 294, Hermiston, OR 97838.

A public records request will be deemed received on the date it is received in compliance with this policy.

STANDARD FEE-SCHEDULE

Except as noted below, the CDA will waive 30 minutes of staff time for all Public Records Requests after which fees may be assessed for additional staff time, applicable services and supplies required to fulfill a Public Records Request in accordance with the applicable fee-schedule below.

The CDA may deny eligibility for the 30-minute waiver if abuse by the requester is determined to exist either by:

- A. Fragmenting a request that if taken in the aggregate would amount to significantly more than 30 minutes; or
- B. Submitting multiple small requests in a short time-frame causing an undue burden on the CDA.

The CDA will not charge for staff time spent witnessing records inspection when the estimated cost of making public records available for inspection is:

- less than the cost of providing the requestor with a copy of the public record; or
- insignificant (requested public records are readily accessible and do not require review, redaction or segregation).

Fees will be charged for staff time required to redact exempt information from requested public records prior to release. Fees will be charged for staff time required to organize, summarize, compile or tailoring the public records to meet the request. ORS 192.324.

Fees for staff time required to fulfill a Public Records Request shall be based on the staff person's hourly wage rate multiplied by the time estimated to respond to the request. The CDA shall estimate the total amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost of the search and copying of the records in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting the records. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.

Attorney and other applicable legal fees shall be charged at the actual hourly rate charged for Public Records Request-related services. Attorney fees may not be charged for determining the applicability of the provisions of ORS 192.311 to 192.478. ORS 192.324.

Production of Responsive Records

Fees generated by providing paper or electronic copies to requesters:

- Copies: Based on current state printing and distribution price list.
- Media: Based on copy and copy size.
- Postage: Based on current postal rates.

Additional Cost Considerations

Miscellaneous fees related to production and release of responsive records:

- Costs of software companies/contracts (as needed to manage the volume of request)
- Other 3rd party costs (in extreme circumstances)

REVIEW OF ORIGINAL RECORDS

If a request to review original records is made, the CDA shall arrange to permit such a review provided that search fees are paid in advance in accordance with the Fees for Public Records section, above. A representative shall be present at any time the original records are reviewed, and the charges for standing by while the records are reviewed shall be the same as the charges for searching or reviewing records.

If any person attempts to alter, remove or destroy any CDA record, the CDA representative shall immediately terminate such person's review, and notify the attorney for the CDA. At no time shall an original record of the CDA be removed from the CDA's files or the place at which the record is regularly maintained, except upon authorization of the Board of Directors or Executive Director of the CDA.