PUBLIC RECORDS GUIDELINES

DWR Records Management Office
July 19, 1993

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The California Legislature has declared that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. The Department of Water Resources has prepared the following guidelines to ensure that members of the public fully understand and are afforded the opportunity to use their right to inspect public records.

WHAT ARE "PUBLIC RECORDS"?

"Public Records" include any writing containing information prepared, owned, used or retained by the Department regardless of physical form or characteristics and relating to the conduct of public's business.

A "writing" for purposes of public access may be a handwriting, typewriting, printing, photostating, photography, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols or any combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

WHEN MAY PUBLIC RECORDS BE INSPECTED?

Public records are open to inspection at all times during the office hours of the Department. The departmental employee who supplies the requested public record will indicate the place within which the inspection must be made and the time limitation, if any, for return of the record(s).

HOW ARE RECORDS REQUESTED?

Records are requested by completing the Department's request form, ("Records Reference Service Request" Form # DWR 792), or by submitting a written request that is sufficiently specified to permit identification of public records. A copy of Form 792 is attached and is also available in the Records Management Office, Room 338, 1416 9th Street, Sacramento, California, 95814.

WHAT INFORMATION SHOULD BE PROVIDED IN THE REQUEST?

The Department has literally thousands of cubic feet of files open to public inspection. To facilitate access to public records, the Department urges members of the public to attempt to be as specific as possible when requesting records. Specific information should include the subject matter involved, the inclusive dates within which the records were created, and the names of persons involved in correspondence. This information will enable the Department to locate and retrieve records.

IS THERE ANY FEE INVOLVED?

Some records are available at no charge. These are described in the section below. For other records, a fee is charged. A request for a copy of an identifiable public record or information produced therefrom, or a certified copy of such record, must be accompanied by payment of a fee based on the following schedule: A fee of $ .10 per standard (dimensions of letter or legal size paper, e.g. 8 1/2 x 11" thru 8 1/2 x 14") page to be reproduced. **Fees for various microfilm reproduction are based on the current microfilm services price sheet which is available in Records Management.** Fees for other types of reproduction will be provided based upon the records requested.

Where the Legislature has established a statutory fee or any given record, the statutory fee will be charged.

WHAT RECORDS CAN BE OBTAINED AT NO CHARGE?

Department staff shall prepare a sufficient number of copies of decisions, orders, public meeting agenda items, or other documents that are prepared for public distribution to meet anticipated public demand. No fee shall be charged for copies of these documents as long as the initial supply lasts. Once the initial supply is exhausted, a charge for copies of documents shall be made according to the fee schedule above.

Public agencies or nonprofit organizations generally should not be charged for copies of documents that were originally prepared for public distribution. Also, there should be no charge for documents (e.g., informational materials) which are routinely sent to persons on Departmental mailing lists.

Unless otherwise noted, single copies of the records of the Department may be furnished to members of the press and to other interested persons, agencies and organizations where it is in the interest of the Department to disseminate the information.

WHAT IF I AM NOT SURE WHERE THE RECORDS ARE KEPT?

Copies of most departmental records are maintained in the **Records Management Office** of the Department, in Room 338, of the Resources Building, 1416 Ninth Street, Sacramento, California, 95814. Records relating to the functioning of a particular field or division office may be located in the particular office involved. **Attachment A** is a description of the various divisions within the Department where public records are kept. **Attachment B** is an organizational chart.

The Department has established a trained staff to assist interested members of the public in determining where identifiable records are kept. The Department is anxious to ensure public access to those records that are open for inspection and are adequately identified by the interested person. The simplest and quickest method of determining the location of records is to inquire at the Records Management Office.

WHAT RECORDS ARE NOT OPEN FOR INSPECTION?

The Legislature in balancing the public's right to access to public records with the recognized individual right of privacy and the need for the Department to be able to competently perform its' missions, has established the following exemptions. The Department is not required to produce records that are listed in sections A through P.

(a) Preliminary drafts, notes, or interagency or intra-agency memoranda which are not retained by the Department in the ordinary course of business, provided that the public interest in withholding such records clearly outweighs the public interest in disclosure;

(b) Records pertaining to pending litigation to which the Department is a party, or to claims made pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, until such litigation or claim has been finally adjudicated or otherwise settled;

(c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy;

(d) Geological and geophysical data, plant production data and similar information relating to utility systems development, or market or crop reports, which are obtained in confidence from any person;

(e) Records of complaints or investigations conducted by the Department for licensing purposes;

(f) Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination;

(g) Information required from any taxpayer in connection with the collection of local taxes, which is received in confidence, and disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying such information;

(h) The contents of real estate appraisals, engineering of feasibility estimates and evaluations made for or by the Department relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained, provided, however, the law of eminent domain shall not be affected by this provision;

(i) Records the disclosure of which is exempted or prohibited pursuant of federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege; pursuant to this sub-section, the Department will not disclose records of requests for legal opinions, the legal opinions, or records which constitute attorney work product.

(j) Statements of personal worth or personal financial data required by the Department, acting in the capacity of a licensing agency, and filed by an applicant, with the Department, to establish his personal qualifications for the license, certificate, or permit he seeks.

(k) Computer software developed by a state or local agency is not itself a public record. Computer software includes computer mapping systems, computer programs and computer graphics systems.

(l) Library circulation records kept for the purpose of identifying the borrower of items available in libraries, and libraries, and library and museum materials made or acquired and presented solely for reference or exhibition purposes. This exemption shall not apply to records of fines imposed on the borrowers;

(m) Correspondence of and to the Governor or employees of the Governor's office or in the custody of or maintained by the Governor's legal affairs secretary;

(n) Records related to employee relations activities governed by the Government Code which reveals the Department's deliberative processes, impressions, evaluations, opinions, recommendations, meeting minutes, research, work products, theories, or strategy, or which provide instruction, advice, or training to employees who do not have full collective bargaining and representation rights under the above chapters. Nothing in this subdivision shall be construed to limit the disclosure duties of a state agency with respect to any other records relating to the activities governed by the employee relations acts referred to in this subdivision;

(o) The home addresses and home telephone numbers of Department employees except that disclosure of that information may be made as follows:

1) To an agent, or a family member of the individual to whom the information pertains.

2) To an officer or employee of another state agency when necessary for the performance of its official duties.

3) To an employee organization pursuant to regulations adopted by the Public Employment Relations Board, except that the home addresses and home telephone numbers of state employees performing law enforcement-related functions shall not be disclosed.

4) To an agent or employee of a health benefit plan providing health services or administering claims for health services to state employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents.

(p) The Department is prohibited from allowing public access to "trade secrets". "Trade secrets" as used in this context, may include, but not be limited to, any formula, plan pattern, process, tool mechanism, compound, procedure, production data, or compilation of information that is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

GENERAL PROVISIONS REGARDING EXEMPT RECORDS

The Department retains the discretion with respect to exemptions (a) through (p), unless disclosure is prohibited by some other statute, to open its records to public inspection where a strong showing is made that the public interest in disclosure clearly outweighs other interests.

The Department also possesses the discretion to claim an exemption from public disclosure in those instances where the public interest served by not making the record public clearly outweighs the public interest served by disclosure.

Whenever the Department asserts that a requested document is exempt from disclosure, the Department shall justify the claimed exemption by providing a written statement citing either the specific exemption involved or those facts that indicate the public interest is best served by claiming an exemption.

SUPPOSE I AM DISSATISFIED WITH THE DEPARTMENT'S DETERMINATION THAT AN EXEMPTION EXISTS?

The Public Records Act, at sections 6258 and 6259 of the Government Code, provides that persons seeking to enforce their right to inspect public records may file a lawsuit.

FUNCTIONAL ANALYSIS OF THE DEPARTMENT OF WATER RESOURCES

I. The Districts:

Certain functions of the Department of Water Resources are performed on a geographically decentralized basis through the district structure. The districts - Northern, Central, San Joaquin, and Southern - have line responsibilities for the planning functions in the Department within their geographical areas. The district provides administrative and engineering support services to the operations and maintenance field divisions. The Southern District also has responsibilities for certain design and construction functions within the district boundaries. The map located on Attachment B of these guidelines indicates the geographical boundaries of the four districts within the State.

(1) The Northern District, with headquarters in Red Bluff, is responsible for all Department line activities, except design and construction, in the Northern District area. The Northern District area includes the North Coastal river basins north of the Russian River, the upper Sacramento River Basin north of Knights Landing; the area north of the Feather River Basin; and the Lahontan area north of the Truckee River basin. District engineering activities are conducted in a Planning Branch and in a Water Management and Data Branch. Program activities include planning investigations for water resources management, local assistance programs, collection and analysis of hydrologic and water quality data, watermaster services, review of federal reports, coordination with other departmental units and the federal water development agencies, and liaison with local agencies on water matters. Personnel are located at the Sutter Maintenance Yard for certain hydrologic data collection activities.

The Administrative Branch is responsible for providing general administrative program control and business management services to the District. These services include accounting, budget, personnel and payroll, safety, training, supply, work processing, duplication, property and contracts, telephone and reception, motor pool, building management, files, library and mail. In cooperation with the engineering staff, the Administrative Branch takes the necessary fiscal, personnel, program control, and business service action to support the implementation and completion of the work programs of the District.

The Planning Branch is responsible for conducting investigations and preparing reports on surface and ground water studies through the advance planning stage. It conducts ground water resources investigations and makes studies of geologic conditions for engineering projects and for watershed management. Major activities include planning for comprehensive water resources development, instream water uses, and evaluation of environmental aspects of water resources throughout the Northern District area. Specialized services are provided to the various Northern District programs in the fields of surface and ground water hydrology, recreation, cost estimating, technical writing and drafting. The branch is also responsible for administration of flood control funds subventions and for the Northern District portion of the statewide programs dealing with statewide planning and State-Federal interagency planning coordination. The branch provides watermaster service in 19 Northern California service areas. It is also responsible for administering the program of State financial assistance to local projects under the Davis-Grunsky Act, public water district activities, and review of federal reports.

The Water Management and Data Branch is responsible for the collection, tabulation, evaluation, and reporting of ground and surface water quantity and quality information in the Northern District area. The branch provides watermaster services in 18 Northern California service areas. It is also responsible for climatological and land and water use data acquisition, water conservation studies, and water quality studies. Specialized services are provided to Northern District programs and to other State agencies in the fields of surface and ground water biology, water quality, and agricultural water use. The branch provides electronic data processing and computer use coordination for the District.

(2) The Central District is responsible, in its geographic area, for planning and investigating water demand and supply, collecting, compiling and evaluating surface and ground water data, negotiating and administering water contracts, and for studies, related to implementation of Delta and other facilities of the State Water Project.

The Administrative Branch is responsible for providing general administrative or business management services to the District. These services include accounting, budget, personnel, payroll, program control, training, supply, property, contracts, motor pool, word processing, files, library, and mail control and distribution. In cooperation with the branches of the District, the Administrative Branch takes the necessary fiscal, program control and personnel actions required to support and implement the work programs of the District.

The Planning and Technical Services branch is responsible for conducting regional water resources planning studies, project formulation studies, investigations for other agencies concerning water, studies of water supply projects for the State Water Project, recreation planning, compiling and evaluating land and water use, water quality, hydrologic, geologic and economic information; developing forecasts of consumptive and nonconsumptive demands for water; reviewing reports of other agencies; investigating and proposing solutions to water quality problems; conducting ground water studies, ground water modelling and providing ground water expertise; making environmental assessments, and providing drafting services for the District.

In cooperation with the Division of Planning, the Bay-Delta Studies Branch is responsible for the development of methods for protecting beneficial uses of water in the Sacramento-San Joaquin Delta and supplies exported from the Delta for the State Water Project, determining effects of the State Water Project on the Sacramento-San Joaquin Delta and San Francisco Bay, and analyzing and developing plans for improving SWP water transfer across the Delta. The Bay-Delta Studies Branch is responsible for preparing a plan of protection for Suisun Marsh and coordinating construction of planned marsh facilities, analyzing hydrology, tidal hydrology, salinity intrusion, water quality, fish and wildlife and other environmental parameters impacted by the State Water Project, administering and negotiating water supply contracts, preparing for rehearings of Water Right Decision 1485, and preparing an EIR/EIS for the coordinated operations agreement between DWR and USBR.

(3) The San Joaquin District is responsible for the planning activities and the operations support functions of the Department within the District's geographical area. It is engaged in programs in the elements of water resources, data collection, control of floods and prevention of damage, water reclamation, services to other agencies, State Water Project planning and investigation, State Water Project water contract negotiations, and State financial assistance for local projects.

The Administrative Branch is responsible for providing administrative and general program control services for the District. These services include personnel management, payroll, program control, procurement, files, library, mail control, budget, motor pool, inventory, communications, and editorial activities necessary to support and implement the work programs of the District.

The Planning Branch is responsible for management of the waste water treatment evaluation programs, including the Los Banos Demonstration Desalting Facility; the San Joaquin Valley Ground Water Study; the Arroyo Pasajero Flooding and Siltation Study; the Post-Project Economic Impact Studies; and the district portions of the Statewide Planning program, the State Financial Assistance for Local projects Program and the Review of Reports Program. The Branch also provides drafting and economic services for the entire District.

The Water Supply Branch is responsible for collecting, compiling and evaluating water quality and water quantity data for both surface and ground water, collecting and compiling climatological data, maintaining water well driller report files, negotiating and administering water supply contracts and planning in connection with the State Water Project, reviewing and approving plans for construction of aqueduct turnout facilities by contractors, monitoring compliance with contractors' auxiliary agreements, and administering the water quality and drainage-oriented programs, and conducting water and land utilization studies.

(4) The Southern District is responsible for departmental activities in the San Luis Obispo, Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, Riverside, San Bernadino, Inyo Counties and portions of Kern and Mono Counties.

The Administrative Branch is responsible for providing general administrative and program control services necessary for implementation of the work programs of the district.

These services include recruitment and orientation of personnel, lead timekeeping and coordination with Sacramento headquarters on personnel documents, compilation and review of division budget, maintenance of accounts and financial records, issuance of checks on the revolving fund account, executive of travel expense claims, distribution of water exchange pool funds, provision of travel reservations, supplies, equipment, reproduction, motor pool, stenographic, central records, library and mail services.

The program control function includes monitoring and reviewing all work authorities for the engineering programs in the district and for carrying out liaison and coordination between the Southern District and Sacramento offices.

The branch also provides space and other administrative support services to a Southern California member of the Division of Land and Right of Way.

The duties and responsibilities of the Planning Branch include about 20 major departmental work programs and several minor programs. These can be categorized: orderly collection, compilation, evaluation and dissemination of basic data on water resources and utilization, formulation of water management plans, evaluation of new water sources, and stretching existing water supplies, including waste water reclamation, desalination, and water conservation, investigation of quantity and quality requirements of water for beneficial purposes, protection of water quality, floodplain management studies, administration of the State's programs of financial assistance in local flood control, water supply, natural disaster assistance programs, preparation of Environmental Impact Reports, review of proposals and Environmental Impact Reports, review of proposals and Environmental Impact Reports of other agencies, the District's participation in statewide programs and recreation planning for the State Water Project.

The Resources Monitoring and Evaluation Section is responsible for collection, analysis and dissemination of climatologic and hydrologic data, including quantity and quality of surface and ground waters, investigating of quality of water supplies, protection of ground water resources, advice to six Regional Water Quality Control Boards, providing chemical laboratory services, conducting land use inventories, determination of urban and agricultural water use rates, conducting agricultural and urban water conservation programs, including water awareness education, and urban retrofit, conducting flood plain management and flood insurance studies, administration of flood control subventions, providing natural disaster assistance and providing State financial assistance to local projects, including the Davis-Grunsky Program.

The Resources Management Section is responsible for conducting water resources evaluation and problem identification studies, investigating planned coordinated management of surface water and ground water resource, evaluating and developing means of increasing the supply of the ground water basin resources, assessing water resources systems, including development of water quantity and quality models, investigating new water sources, special investigations and reports for other State and local agencies, and reviewing and coordinating State's comments on Federal, State and local EIRs and reports.

The Economics and Planning Section is responsible for participating in statewide planning, providing economic information and advice, planning and implementing recreation at State Water Project facilities, and administering contract services with Departments of Fish and Game and Parks and Recreation, participating in Instream Resources Program and preparing Environmental Impact Reports.

The duties and responsibilities of the Water Projects Branch are primarily directed toward planning and water contract administration in connection with the State Water Project and water master service administered under court judgments.

The Contracts Administration Section is responsible for contract negotiation and administration functions associated with the State Water Project, special studies of proposed additional Project facilities and special services to the Division of Operations and Maintenance. This section is also responsible for the implementation and administration of court judgements related to three adjudicated ground water basins in Southern California.

The Future Water Supply Section is responsible for evaluating and making recommendations regarding: The use in Southern California of ground water basins and local projects for storing water to meet future State Water Project (SWP) demands, a Colorado River banking plan to build "credits" of stored water in to assess relative value in augmenting SWP supplies.

II. Lancaster Project Headquarters:

The Lancaster Project Headquarters is responsible for the supervision and administration of all construction contracts related to the South San Joaquin, Tehachapi, Mojave, Santa Ana and West Branch Divisions, except furnish-and-install contracts during the fabrication phase. It provides inspection services, approves and executes change orders within the delegated approval authority of the project engineer, reviews contractors claims as to their merit, prepares and approves contract payments, monitors all construction activities in the area, conducts construction surveys and is responsible for the performance and acceptance tests of all equipment installed.

III. Operations and Maintenance Centers:

The following facilities are branches of the Division of Operations and Maintenance. Each of these facilities maintains records relating to its function within the Department:

Oroville Field Division
P.O. Box 1191
460 Glen Drive
Oroville, CA 95965

Delta Field Division
Route 1, Box 39
West Kelso Road
Byron, CA 94514

San Joaquin Field Division
P. O. Box 79398
4201 Sabodan Road
Bakersfield, CA 93381

San Luis Field Division
31770 West Highway 152
(12 miles west of Los Banos on Hwy. 152)
Santa Nella, CA 93635

Southern field Division
P. O. Box 98
(31849 North Lake Hughes Road)
Castaic, CA 91310

Generally, the Division of Operations and Maintenance has responsibility for operating and maintaining all Department of Water Resources facilities of the State Water Project. This responsibility includes planning for both routine and emergency operation and maintenance, security for the State Water Project, requesting and coordinating engineering services from the districts and other divisions within the Department including engineering, public policy records and personnel.

RECORDS MANAGEMENT

RESOURCES BUILDING
ROOM 338
1416 NINTH STREET
SACRAMENTO, CA 95814

TEL 916-653-1097

OROVILLE FIELD DIVISION

P.O. BOX 1191
460 GLEN DRIVE
OROVILLE, CA 95965

TEL 916-534-2323

SAN JOAQUIN FIELD DIVISION

P.O. BOX 79398
4201 SABODAN STREET
BAKERSFIELD, CA 93381-9398

TEL 661-858-5500

DELTA FIELD DIVISION

ROUTE 1, BOX 39
WEST KELSO ROAD
BYRON, CA 94514-9612

TEL 209-833-2017

SOUTHEN FIELD DIVISION

P.O. BOX 98
31849 N. LAKE HUGHS RD.
CASTAIC, CA 91310-0098

TEL 661-702-8024

SAN LUIS FIELD DIVISION

31770 GONZAGA ROAD
GUSTINE, CA 95322-9737
TEL 209-827-5100

NORTHERN DISTRICT

2440 MAIN STREET
RED BLUFF, CA 96080-2398

TEL 530-529-7342

CENTRAL DISTRICT

3251 S STREET
SACRAMENTO, CA 95816-7017

TEL 916-227-7566

SAN JOAQUIN DISTRICT

3374 EAST SHIELDS AVENUE
FRESNO, CA 93726-6990

TEL 559-230-3310

SOUTHERN DISTRICT

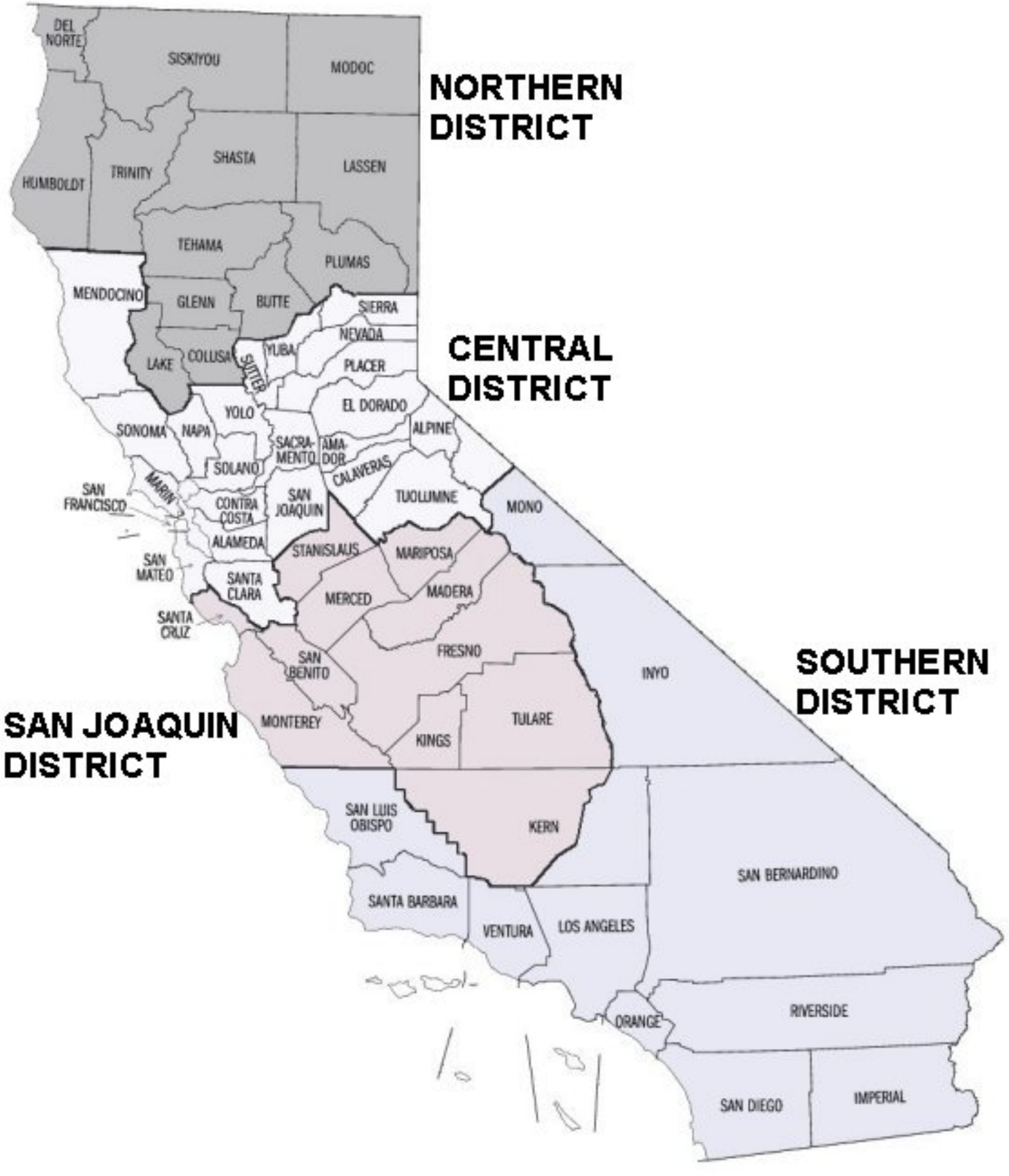
770 FAIRMONT AVE., SUITE 102
GLENDALE, CA 91203-1035

TEL 818-543-4610

LANCASTER PROJECT OFFICE

P.O. BOX 1112
3121 EAST AVENUE I
LANCASTER, CA 93584-8677

TEL 805-946-1024


NORTHERN DISTRICT
CENTRAL DISTRICT
SOUTHERN DISTRICT
SAN JOAQUIN DISTRICT
DEL NORTE
SISKIYOU
MODOC
HUMBOLDT
TRINITY
SHASTA
LASSEN
TEHAMA
PLUMAS
MENDOCINO
GLENN
BUTTE
SIERRA
NEVADA
LAKE
COLUSA
SUTTER
YUBA
PLACER
YOLO
EL DORADO
SONOMA
NAPA
SACRA-MENTO
AMA-DOR
ALPINE
SOLANO
CALAVERAS
MARIN
SAN FRANCISCO
CONTRA COSTA
SAN JOAQUIN
TUOLUMNE
MONO
ALAMEDA
STANISLAUS
MARIPOSA
SAN MATEO
SANTA CLARA
MERCED
MADERA
SANTA CRUZ
FRESNO
SAN BENITO
INYO
MONTEREY
KINGS
TULARE
SAN LUIS OBISPO
KERN
SAN BERNARDINO
SANTA BARBARA
VENTURA
LOS ANGELES
ORANGE
RIVERSIDE
SAN DIEGO
IMPERIAL