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July 28, 2004

Ms. Barbara Schwarz
335 East Broadway
Apt. 401
Salt Lake City, UT 84111

Re: *Petition for Public Records Disclosure Order:*
Department of Land Conservation and Development

Dear Ms. Schwarz:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. We received your petition on July 23, 2004.

We spoke with Victoria Schiller, Records Coordinator for the Department of Land Conservation and Development (LCDC) about your petition. She told us that LCDC does not have a computerized database of its records by which staff can conduct a records search. To respond to your request, Ms. Schiller reviewed a hard copy log that is kept for LCDC records. No log entry contained information indicating that an LCDC record is responsive to your request. On the basis of that review, and on LCDC's behalf, Ms. Schiller informed you that the agency does not have records responsive to your request.

If, in addition to review of the records log, you want LCDC to manually search its compiled records, Ms. Schiller told us that the agency would need to charge a fee to recoup its actual costs for doing such a search, and that it would require prepayment of the estimated fee. At your request, Ms. Schiller will calculate and inform you of the estimated fee.

We have reviewed the electronic mail correspondence between you and Ms. Schiller. Under all of the circumstances, the agency has not denied your request for records.

Because LCDC has not denied your request for records, we deny your petition.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

ps:AGS14323
c: Victoria Schiller, Oregon Department of Land Conservation and Development