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## FOIA not just for big issues

It was a little unsettling to attend Saturday's meeting of the Virginia Cave Board. After all, we had just asked its members for copies of what could be hundreds of pages of correspondence related to Dominion's Atlantic Coast Pipeline project (see story, page 20). It was a request, many said, they would need hours to fulfill. Eyes rolled. Faces grimaced.

It's not that members of this board, which advises Virginia's Department of Conservation and Recreation, were angry. It's just that they weren't properly instructed on how to manage themselves and their communications under the state's Freedom of Information Act.

We bet they're not the only ones, either.

On the state level, Virginia depends on hundreds of advisory boards, which typically consist of volunteer members who are usually appointed by the governor. They advise state agencies, elected governing bodies, or the governor's office directly on everything from technical matters in health and science to environmental and business issues. There's even one for professional boxing, wrestling and martial arts, and an advisory board on midwifery.

Sometimes these boards are temporary advisory committees for specific issues; sometimes they exist for years.

But in any case, each falls under the purview of a Virginia agency or office responsible for informing them about their roles. This is law, written into the Freedom of Information Act. Once these fine people are appointed, there is someone responsible for explaining the law within two weeks.

We learned Saturday that DCR staff failed to inform the Virginia Cave Board. In fact, one member noted she had not heard anything about FOIA in her nine years on that board.

It's no wonder the board members seemed rankled by our request. We were encouraged that DCR staff sincerely apologized to them and proceeded to hold an hour's discussion on the matter to help them understand their duties to the public under FOIA.

Had they been given some helpful tips far sooner, on how to separately file emails related to cave board business, they would have easily and quickly been able to fill our request for copies of them.

Instead, like most of us, each of them communicated from more than one email address, or used a personal or work email address and had not kept cave board correspondence in one, easy to access place.

As all agreed, the Virginia Cave Board is not accustomed to much public scrutiny. And why would it be? Its duties are mostly educational. It provides information to people who have caves on their land, or who have questions about sink holes, or don't know where their springs are sinking off to. And they plan Virginia's annual cave week, a fun and educational event to help us understand our underground world — a growing, popular time for families and landowners. This board is apolitical, and citizens rarely attend its meetings. Or read its minutes. Or ask for its emails.

We suspect there are dozens upon dozens of similar advisory boards that go mostly ignored when it comes to how they conduct meetings or file business-related correspondence.

And that's what should concern you.

FOIA applies to all appointed or elected government boards, and it applies to them every day, not just when no one's paying attention.

But because they are overwhelmingly made up of ordinary citizens — whose extraordinary expertise stands out to the governor — they, more so than elected officials, require a strong education in the Freedom of Information Act, and how it applies.

Our state agencies and attorney general's office are responsible for providing this education, and we wonder: how many other volunteer citizens are left vulnerable to big FOIA requests or objections about the way they hold meetings because no one explained it to them?

None of the Virginia Cave Board members seemed the least bit concerned about sharing their correspondence. It was finding the time to locate those documents that was the problem. These are busy, working folks, after all.

It's true Dominion's proposed gas pipeline project could affect millions. Many, not just journalists, depend on the Freedom of Information Act to stay informed about it. And dozens of state agencies are fielding requests.

But any number of highly controversial matters could require action from our state advisory boards, and they should be prepared by state agencies to follow the law. It may happen rarely, but it does happen.

Governor, please make sure your agencies, advisory boards, and appointed committees understand their responsibilities. If they don't understand the law, it only reflects poorly on you and your administration. Perhaps it's time to send out a memo?

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