



## A Brief Guide To: Records Retention

We are often asked for how long and which Land and Water Conservation Fund (LWCF) records must be retained.

The National Park Service must keep its LWCF records forever and that requires a lot of shelf space. For storage challenged Regions, we accomplish this task primarily by utilizing the Federal Records Centers for original file storage. We also maintain in the regional offices skeleton files, microfilm, and now digital records.

NPS believes it is in the States' and sub-grantees' best interest to follow the NPS example. However, there is no specific LWCF regulation that requires they do so. Rather, for LWCF purposes the States and sub-grantees are subject to 43 Code of Federal Regulations Part 12.42, which requires that **all documentation relating to a grant must be retained for a period of three (3) years after final payment**. The exception to this rule is when specific audit findings dictate a longer retention period. Consequently, under most circumstances the State or sub-grantee could legally purge the entire grant record after the three year period concludes.

We cannot imagine any State eliminating entire records except for a few situations in which records are inadvertently destroyed. With current scanning capabilities available universally, there is no good reason not to retain an entire record at least digitally.

In almost all LWCF categories, State's and sub-grantees amass equal or greater records than the NPS and, accordingly, their grant files are considerably bulkier. Similar to NPS, space limitations and storage costs may force a reduction to the LWCF records footprint. Hence the question of which records can be safely purged. Following is a list of records we believe must be permanently retained by States and sub-grantees.

- ✓ waiver of retroactivity approval correspondence (when applicable)
- ✓ grant agreements and general provisions
- ✓ grant amendments
- ✓ all inspection reports
- ✓ project close-out documents
- ✓ real estate title documentation
- ✓ any legal documents
- ✓ as-built site plans
- ✓ section 6(f)(3) project boundary map/plat maps
- ✓ determinations of obsolescence correspondence
- ✓ conversion correspondence
- ✓ PD/ESF

Documentation like plans and specifications, appraisals, NEPA, section 106 consultation materials, permits, construction contracts, and billing documentation contribute the greatest bulk. While they are all greatly important to fully understand what occurred under the grant, if purged the loss is less critical than the bulleted items.

