

THE NATOMAS BASIN CONSERVANCY DOCUMENT RETENTION AND DESTRUCTION POLICY

Purpose

This policy provides for the systematic review, retention and destruction of documents received or created by the Natomas Basin Conservancy (Conservancy) in connection with the transaction of organization business. This policy covers all records and documents, regardless of physical form, contains guidelines for how long certain documents should be kept and how records should be destroyed. The policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate the Conservancy's operations by promoting efficiency and freeing up valuable storage space.

Document Retention

The Conservancy follows the document retention procedures outlined below. Documents that are not listed but are substantially similar to those listed in the schedule will be retained for the appropriate length of time.

Because of its role as the "Plan Operator" of the Natomas Basin Habitat Conservation Plan (NBHCP) and the Metro Air Park Habitat Conservation Plan (MAPHCP), the Conservancy has accepted certain archive and records retention obligations that may extend the length of time that certain documents are held (see NBHCP, Section VI.F.3). In some cases, this means for the 50-year life of the NBHCP. This includes, but is not limited to, biological and species monitoring data, the Annual Implementation Report and the information and data which supports it, geographic information system data and other information which assists in determining the success of implementing the NBHCP and MAPHCP. The Conservancy will be alert to such supplemental document and records retention requirements, and consider the retention schedule stated in this policy as a minimum length of time to retain documents and records, and allow document preservation for extended periods as deemed necessary given the demands and adaptations that occur from time-to-time with the NBHCP and MAPHCP.

Corporate Retention Schedule	Retention Period (minimum)
Corporate Records	
Annual Reports to Secretary of State / Attorney General	Permanent
Articles of Incorporation	Permanent
Board Meeting and Board Committee Minutes	Permanent
Board Policies/Resolutions	Permanent
By-laws	Permanent
Construction Documents	Permanent
Fixed Asset Records	Permanent
IRS Application for Tax-Exempt Status (Form 1023)	Permanent
IRS Determination Letter	Permanent

Adopted by the Conservancy Board of Directors on December 3, 2008.

Conservancy Board of Directors Approved Revisions: June 1, 2011, October 5, 2016, August 7, 2019, [December 7, 2022](#).

Corporate Retention Schedule	Retention Period (minimum)
California Application for Tax-Exempt Status	Permanent
California Determination Letter	Permanent
Correspondence (legal and important matters)	Permanent
Licenses and Permits	Permanent
Accounting and Corporate Tax Records	
Annual Audits and Financial Statements (including budget)	Permanent
Depreciation Schedules	Permanent
General Ledgers	Permanent
IRS Form 990 Tax Returns	Permanent
NBHCP Finance Model (including budget)	Permanent
IRS Form 1099s	Permanent
California Tax-Form 199 Returns	12 years
California Tax Records	12 years
Business Expense Records	10 years
Journal Entries	10 years
Invoices	10 years
Cash Receipts	10 years
Credit Card Receipts	10 years
Contracts (after expiration)	10 years
Request for Proposal-all submissions (after bid due	5 years
California Sales and Use Tax Returns (UBIT)	5 years
Correspondence (general)	4 years
Bank Records	
Check Registers	Permanent
Electronic Fund Transfer Documents	Permanent
Bank Deposit Slip	10 years
Bank Statements and Reconciliation	10 years
Payroll and Employment Tax Records	
Payroll Registers	Permanent

Corporate Retention Schedule	Retention Period (minimum)
Payroll Tax <u>R</u> eturns	10 years
State Unemployment Tax Records	4 years
Individual Wage Records	10 years
Garnishment Records	10 years
W-2 Statements (after due date or date filed)	10 years
Employee Records	
Retirement Plan Documents	Permanent
Employee Performance Reviews	7 years after termination
Records relating to Promotion, Demotion or Discharge	7 years after termination
Employment and Termination Agreement	4 years
Employment Applications and Resumes	3 years
Time Cards	3 years after termination
<u>IRS Form</u> W-4	3 years after due date
<u>I-9 USCIS</u> Forms <u>I-9</u>	3 years after date of hire; if employed more than 3 years then 1 year after termination
Donor/Grant Records	
Restricted Endowment Funds & Donor Advised Funds	Permanent
Donor Records and Acknowledgement Letters	10 years
Grant Applications and Contracts	7 years after completion
Legal, Insurance and Safety Records	
Appraisals	Permanent
Environmental Studies	Permanent
Insurance Policies	Permanent
Real Estate Documents	Permanent
Stock and Bond Records	Permanent
Employee Accident Reports and Insurance Claims	Permanent
Worker's Compensation Records	Permanent
Leases	10 years after expiration
General Contracts	10 years after termination
Litigation Documents	7 years after termination of matter

Electronic Documents and Records

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files, including records of donations made online, that fall into one of the document types on the above schedule, will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an email message, the message should be printed in hard copy and kept in the appropriate file or moved to an "archive" computer file folder. Backup and recovery methods will be tested on a regular basis.

Emergency Planning

The Conservancy's records will be stored in a safe, secure and accessible manner. Documents and financial files that are essential to keeping the Conservancy operating in an emergency will be duplicated or backed up at least every week and maintained off site.

Document Destruction

The Conservancy's [Chief Financial Officer/Contracts & Compliance Manager](#) is responsible for the ongoing process of identifying records which have met the required retention period and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding.

Exception for Documents Relevant to Litigation

Document destruction will be suspended immediately (a) upon any indication of an official investigation or (b) when a lawsuit is filed or appears imminent and an officer, director, or employee believes, or is informed that the Conservancy's records are relevant to such litigation or potential litigation. This exception supersedes any other established destruction schedule for records, including those set forth in this Policy. Document destruction will be reinstated upon conclusion of the investigation or litigation or upon determination that preserved documents are no longer needed for potential litigation.

Press Releases/Public Filings

Copies of all press releases and publicly filed documents should be retained permanently under the theory that the Conservancy should have its own copy to test the accuracy of any document a member of the public can theoretically produce against the Conservancy.

Compliance

Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the Conservancy and its employees and possible disciplinary action against responsible individuals. The Chief Financial Officer and [Finance Committee Chair](#) will periodically review these procedures with legal counsel or the organization's certified public accountant to ensure that they are in compliance with new or revised regulations.

Note: Accounting records prior to 2005 are held by the City of Sacramento and subject to the City of Sacramento's records policy.