

# Alabama Department of Conservation and Natural Resources



## Functional Analysis & Records Disposition Authority

Revision  
Approved by the  
State Records Commission  
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# Table of Contents

<b>Functional and Organizational Analysis of the Department of Conservation and Natural Resources .....</b>	<b>3</b>
Sources of Information .....	3
Historical Context .....	3
Agency Organization .....	5
Agency Function and Subfunctions .....	6
<b>Analysis of Record Keeping System and Records Appraisal of the Department of Conservation and Natural Resources.....</b>	<b>14</b>
Agency Record Keeping System .....	14
Records Appraisal .....	15
Permanent Records List .....	25
<b>Department of Conservation and Natural Resources Records Disposition Authority.....</b>	<b>27</b>
Explanation of Records Requirements.....	27
Records Disposition Requirements.....	28
Promulgating Rules and Regulations.....	28
Protecting and Conserving.....	28
Managing State Lands.....	30
Preserving State Lands.....	32
Facilitating Recreation .....	32
Educating .....	33
Enforcing.....	34
Managing Projects and Activities .....	35
Administering Internal Operations: Managing the Agency.....	37
Administering Internal Operations: Managing Finances .....	40
Administering Internal Operations: Managing Human Resources .....	41
Administering Internal Operations: Managing Properties, Facilities, and Resources .....	42
Requirement and Recommendations for Implementing the Records Disposition Authority (RDA) .....	44

# Functional and Organizational Analysis of the Department of Conservation and Natural Resources

## Sources of Information

Representatives of the Department of Conservation and Natural Resources

Alabama Administrative Code, Sections 220-1-1 through 220-6-.30

Alabama Administrative Procedures Act, Acts 1981, No. 81-855, p. 1534, § 1

Code of Alabama, 1867, § 3750 - 3753

Code of Alabama, 1975, § 9-2-1;

Code of Alabama, 1975, § 9-2-11 through § 9-2-15

Code of Alabama, 1975, § 9-2-60

Code of Alabama, 1975, § 9-2-81

Code of Alabama, 1975, § 9-2-100

Code of Alabama, 1975, § 9-2-120

Code of Alabama, 1975, § 9-5-1

Code of Alabama, 1975, § 9-15-1, et seq.

Code of Alabama, 1975, § 36-5-23

Code of Alabama, 1975, § 36-12-2

Code of Alabama, 1975, § 36-12-4

Code of Alabama, 1975, § 36-16-8

Code of Alabama, 1975, § 41-5-23

Code of Alabama, 1975, § 41-13-1

Code of Alabama, 1975, § 41-13-5

Code of Alabama, 1975, § 41-13-20

Code of Alabama, 1975, § 41-13-21

Code of Alabama, 1975, § 41-16-24

Code of Alabama, 1975, § 41-22-6

Code of Alabama, 1975, § 41-27-1

Code of Alabama, 1975, § 41-27-6

Code of Federal Regulations, Title 2, § 200.333 (2016)

Code of Federal Regulations, Title 50, § 83 – 83.18

Constitution of the State of Alabama

Office of Management and Budget Circular A-102

Water Resource Act of 1986

Functional Analysis of Alabama Government (1998)

Encyclopedia of Alabama, “Alabama Department of Conservation and Natural Resources”

## Historical Context

With its creation in 1817, the Alabama Territory was given control over all 16<sup>th</sup> section lands and

the salt springs. The act that created the territory proclaimed that all navigable waters of the territory were to remain public highways. Five percent of the net proceeds of land sold by the United States Congress were to be used for the upkeep of roads and the continued navigation of rivers. In 1819, when the territory became a state, these same conditions applied to the state of Alabama.

The Code of Alabama 1867 includes the first laws to conserve wildlife. According to the Code of Alabama 1867, Sections 3750-3753, hunting deer at night with fire and gun was illegal, as was poisoning a stream to catch fish. In 1891, the Alabama Legislature created the position of State Oyster Inspector, which had the responsibility for enforcing laws regarding oysters. In 1907, the Legislature conferred upon the State of Alabama legal ownership of all wild birds and game not privately owned and established the Department of Game and Fish to supervise the state's interests. The duties of the Department were to regulate the catching, killing, or taking of wild birds or game by establishing seasons for hunting and by establishing daily and seasonal limits; to regulate the sale, purchase, and transport of wild birds and to protect their nests and eggs; and to issue certificates of authorization for scientists and ornithologists to collect birds, nests, or eggs for scientific study. The Legislature required all sheriffs, deputy sheriffs, marshals, constables, and other peace officers to function as ex-officio game and fish wardens.

Beginning in 1915, the Legislature began to consolidate all of the various agencies and offices responsible for natural resource and wildlife management under the aegis of the Department of Game and Fish. The Board of Oyster Commissioners (1909-1911) and then the Alabama Oyster Commission (1911-1915) were responsible for the enforcement of laws regarding oysters until 1915, when the Legislature created the Public Reef Warden. In 1919, the Legislature abolished the Public Reef Warden when it added the office of Chief Oyster Inspector to the Department of Game and Fish, which recently had been renamed the Department of Conservation. Also in 1919, the Legislature established official ports of entry for landing and for taxing shipments of oysters, shrimp, and other seafood at Alabama Port, Cedar Point, Dauphin Island, and Bayou La Batre.

The Legislature changed the name of the Department of Conservation to the Department of Game and Fisheries in 1923. In 1935, the Legislature changed the Department's name to the Department of Conservation of Game, Fish, and Seafood and returned the functions of the Chief Oyster Inspector to the Alabama Oyster Commission. In addition, the Legislature also created a seven-member Conservation Board to advise the Commissioner of the Department, with the Commissioner serving as chairman of the Board.

The Legislature established the Advisory Board of Conservation and the Department of Conservation in 1939, and it abolished the Conservation Board; the Department of Conservation of Game, Fish, and Seafood; the Alabama Oyster Commission; the State Commission of Forestry; the State Forester; and the Alabama Monument Commission. The Legislature transferred the functions of these agencies, including the position of land clerk, to the newly created Department of Conservation. The Legislature also created divisions within the Department: the Division of Game, Fish, and Seafood; the Division of Forestry; and the Division

of State Parks, Monuments, and Historic Sites.

In 1945, the Legislature placed, within the Department, the Office of Land Agent, responsible for the leasing and selling of timber and land owned by the state (formerly of the State Land Commission). In 1959, the Water Safety Division was established in the Department of Conservation to enforce the state's boating laws. In 1969, the Legislature abolished the Department's Division of Forestry with the establishment of the Alabama Forestry Commission.

The Legislature renamed the Department of Conservation as the Department of Conservation and Natural Resources in 1971. In 1973, the Legislature changed the name of the Advisory Board of Conservation to the Advisory Board of Conservation and Natural Resources. In 1976, the Legislature created the Alabama Coastal Area Management Program (ACAMP). The Department's State Lands Division, in coordination with the Alabama Department of Environmental Management (ADEM), administers the ACAMP on behalf of the State of Alabama.

In 2013, as part of a larger consolidation program, the Legislature transferred the Marine Police Division so that it now falls under the Alabama Law Enforcement Agency (ALEA) (Code of Alabama 1975, Section 41-27-1) (Code of Alabama 1975, Section 41-27-6). There have been no significant legislated changes since this point.

## **Agency Organization**

The organizational structure of the Alabama Department of Conservation and Natural Resources (ADCNR) consists of a Commissioner, appointed by the Governor; four operational divisions; eight support sections; and a Deputy Commissioner. The Commissioner, with approval by the Governor, appoints division directors (Code of Alabama 1975, Section 9-2-11). The Advisory Board of Conservation and Natural Resources, which advises the Department, consists of the Governor, the Commissioner of Agriculture and Industries, the Director of the Alabama Cooperative System, and ten other members appointed by the Governor, one of whom the Governor designates as chair. Appointed members serve six-year terms. The Commissioner of ADCNR serves as Ex Officio Secretary of the Board. The Board meets semiannually and as necessary (Code of Alabama 1975, Section 9-2-14).

The four operational divisions are: Wildlife and Freshwater Fisheries (previously Game and Fish) Division (Code of Alabama 1975, Section 9-2-60); Marine Resources Division (Code of Alabama 1975, Section 9-2-81); State Parks Division (Code of Alabama 1975, Section 9-2-100); and State Lands Division (Code of Alabama, Section 9-2-120). The Department also has an Administrative Division. Additional divisions may be created as needed with approval of the Governor (Code of Alabama 1975, Section 9-2-11). The eight support sections under the Administrative Division consist of the following: Commissioner's Office; Legal Section; Personnel and Payroll Section; Engineering Section; Accounting Section; Information and Education Section; Property Inventory Section, and Information Technology Section.

The Department operates offices in Montgomery; has five Wildlife and Freshwater Fisheries district offices, each which oversee eight to fifteen counties and include fisheries, wildlife and enforcement personnel as well as jointly housing laboratories, three hatcheries with fish hatching and holding buildings, and one aquatic biodiversity center; has marine resource facilities at Dauphin Island and Gulf Shores; has three facilities that provide land stewardship education programs and one dedicated to dog field trail and hunting programs for individuals; and has twenty-one state parks.

## Agency Function and Subfunctions

The mandated function of the Department of Conservation and Natural Resources is to promote, to protect, and to conserve the wildlife and land of the state. The Department is one of the agencies responsible for performing the stewardship, law enforcement and emergency powers, and economic development functions of Alabama government.

In the performance of its mandated functions, the Department may engage in the following subfunctions.

- **Promulgating Rules and Regulations.** The Commissioner makes rules and regulations pertaining to all functions and duties of the Department. The Commissioner has all rule-making powers of the Department, subject to the Advisory Board of Conservation and Natural Resources, and cannot delegate this rule-making power unless expressly authorized (Code of Alabama, 1975, Section 9-2-12). The Board assists in formulating the policies of the Department; examines all rules and regulations made or promulgated by the Commissioner; recommends amendments, to and of, or suggests additional rules or regulations; and by a two-thirds vote and with the approval of the Governor can amend or repeal any rule or regulation and promulgate additional rules or regulations (Code of Alabama, 1975, Section 9-2-15). The Department follows the steps outlined in the "Alabama Administrative Procedure Act," Acts 1981, No. 81-855, p. 1534, §1, to create or change any rules or regulations.

Examples of rules and regulations that the law instructs the Commissioner to create include designation of which species of fish are game fish and what animals are classed as game or fur-bearing animals; designation of open hunting and fishing seasons; designation of daily and season bag or creel limits; and designation of the legal hunting and fishing techniques. The Department also creates regulations that make it illegal to kill or take wildlife because of endangered status.

- **Protecting and Conserving.** The Department is responsible for protecting and conserving the natural resources of the state. To fulfill this responsibility, staff members of the Department perform many varied activities.

ADCNR staff stock public fishing waters with fish from hatcheries and from outside sources, perform shoreline treatments, collect and relocate fish and wildlife, work to improve fertility in lakes, attempt to manage aquatic plants, coordinate diseased-timber removal, and plant trees. Biologists of the Department conduct biological checks of ponds and investigate reported fish kills and cases of pollution. Staff members investigate and comment on water-related permits and environmental impact statements and provide written comments to appropriate agencies; monitor wildlife populations to determine management needs; provide technical assistance to the public on wildlife and habitat management, harvest strategies, and damage control to protect crops and property as much as practical without undue damage to wildlife resources; and provide technical assistance to other agencies to avoid undue damage to wildlife resources and to enhance those resources where possible.

The Department staff perform research related to fish habitat and development, conduct wildlife research and surveys, and perform research activities such as fish culturing and growth studies. The staff monitors various native wildlife and aquatic species of concern and recommends state level conservation actions to ensure their sustainability. Staff members also may consult with the U. S. Fish and Wildlife Service if research and/or survey data indicates a need for the federal listing of a species. ADCNR staff assists individuals, groups, and organizations by furnishing information and technical assistance for construction of fish ponds, establishing feeding grounds for migratory water fowl, and stocking fish from fish hatcheries.

The Natural Heritage Section monitors the status and distribution of Alabama's plants and animals through maintaining the Natural Heritage database, a compilation of all plant and animal species documented in Alabama. Most of the information is available to the public at <https://heritage.dcnr.alabama.gov/> as a tool to facilitate education, resource planning, and biological research. The database is also used to allow the identification of areas and species where information gaps are present. Once staff members identify gaps, they work to fill the gaps through field surveys and scientific literature searches.

The Department's staff members manage the commercial and recreational fisheries in Alabama's marine and estuarine waters with the cooperation of the National Marine Fisheries Service. The Department operates a mariculture center with thirty-five ponds. Activities include cultivating the State's public oyster reefs; dredging oysters in Alabama waters where they are too thick and spreading them on reefs where they are too thin; creating fishing reefs; and monitoring the potential impact of commercial projects on oysters.

Alabama law authorizes the Commissioner to close the season of or to offer protective status to wildlife or fish other than those designated as game to include any species of game in any county or area where it is found necessary for conservation and perpetuation of such species. Legislation allows the Commissioner to promulgate regulations to regulate importation or possession of species deemed to be harmful unless such

importation is used for display purposes for shows and exhibits where ample provisions are made to prevent escape in this state (Code of Alabama 1975, Section 9-2-13).

- **Managing State Lands.** The Department is responsible for acquiring/selling/leasing, maintaining records of, utilizing and developing, managing and/or conserving all state lands, including submerged lands, other than those specifically committed to use or control of another agency. The following represent various activities performed by staff members under this subfunction.

**Acquiring/Selling/Leasing.** The Department may acquire land by donation, purchase, condemnation (State Parks Division only), or lease. ADCNR sells and exchanges land under its jurisdiction when doing so will be advantageous to the state. The Department also coordinates the sale and lease of certain state lands owned by other state agencies pursuant to the Lands Sales and Leasing Act. The Department deposits the funds from the sale or lease of such lands in the appropriate account for the state agency landowner. There are more than 645,000 acres of trust lands, including submerged lands, managed for the benefit of several state agencies.

**Maintaining Records.** The State Lands Division maintains a record of certain purchases or sales of state-owned land by state agencies under the jurisdiction of Lands Resource Information Center requirements. The State Lands Resources Information Center, within the Department, compiles and keeps up-to-date the location, size, type of development, description and general condition of improvement, if any, and a certified copy of original deed or record of ownership to the state of property as provided by the applicable state agency landowner.

**Utilizing and Developing.** Some state lands contain valuable natural resources such as timber, oil, natural gas, and minerals, which may bring substantial revenue to the state. The Department of Conservation's State Lands Division has the responsibility of determining how best to use state property (Code of Alabama 1975, Section 9-15-1, *et seq.*). It leases land for timber harvesting, coal leases, hunting leases, agricultural activities and for oil and gas exploration and production. It manages development of oil and gas resources through issuance of seismic permits and submerged pipeline right of ways. The Minerals Resource Management Committee, made up of the State Geologist, the Commissioner of Conservation, and the Finance Director, maximizes the income realized from oil, gas, and other mineral resources owned by the state (Code of Alabama 1975, Section 9-5-1).

**Managing Impacts to Submerged Lands.** The State Lands Division manages impacts to state-owned submerged lands, including the placement of structures such as piers, docks, boathouses and shoreline protection structures. Additionally, it issues riparian easements for multi-slip docking facilities, marinas and similar



structures as well as dredging permits for the severance of sediments from state-owned submerged lands. It also issues shellfish Aquaculture Easements on state-owned lands. Such activities frequently coincide with U.S. Army Corps of Engineers permitting actions.

- **Preserving State Lands.** The Alabama Forever Wild Land Trust is a permanent trust. The Board of Trustees of the Alabama Forever Wild Land Trust consists of fifteen voting members as follows: the Commissioner of the Department of Conservation and Natural Resources, who serves as chairperson of the Board; the State Forester; three members appointed by the Alabama Commission on Higher Education; the Executive Director of the Marine Environmental Sciences Consortium; three members appointed by the Governor; three members appointed by the Lieutenant Governor; and three members appointed by the Speaker of the House of Representatives. The Board meets at least quarterly each year and reviews written requests from state agencies, private organizations, and private citizens proposing that the Board acquire certain properties from willing seller landowners. To protect the natural heritage and diversity of Alabama for future generations, the state, acting through the Forever Wild Land Trust, acquires lands to ensure their protection and use for conservational, educational, recreational, or aesthetic purposes. Using its own knowledge and expertise, as well as the knowledge and expertise of the scientific community and state and federal agencies, the Board adopts a priority list of properties to be considered for acquisition.

The Alabama Trust Fund has vested title for the State of Alabama to all properties acquired by the Forever Wild Land Trust. The Department serves as the lead management agency with respect to all lands acquired and has the responsibility of providing administrative support to the Board as necessary. Administrative support includes arranging meetings, coordinating the assessment and appraisal of land, negotiating with property owners, and preparing the budget and annual report by the Board. The Department follows the directions of the Board in acquiring land tracts. Before purchasing or acquiring any interest in lands with funds from the Forever Wild Land Trust, the Commissioner obtains at least two appraisals from certified real estate appraisers. The Final Approval Committee, composed of the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives, approves or disapproves any land acquisition proposed of the Board. The right of the public to hunt and fish on the lands and easements acquired is not abridged or restricted, subject to such rules, regulations, seasons, and limits as are established by the Department.

- **Facilitating Recreation.** The Department initiates and conducts public recreational activities relating to the natural resources of the state. Activities include youth deer, turkey and dove hunts; the Interpretive-Recreational Activity programs; Waterfowl Stamp Art Contest; National Safe Boating and Fishing Weeks; Free Fishing Day in Alabama; Boys State/Girls State; the Community Fishing Program; the Deer Management Assistance Program; and providing public shooting ranges and twelve community archery parks.

The Department annually contracts with an artist to create a wildlife print or stamp and sells reproductions of the print or stamp. The Department reviews applications for the largest fish caught of each species in the state and maintains records.

The Department manages and maintains numerous state parks, state-owned public fishing lakes, wildlife management areas as well as waterfowl refuges; and wildlife sanctuaries. The Parks Division of the Department of Conservation is responsible for all the state parks and carries out all activities related to their management, with the exception of building access roads, which is the responsibility of the Department of Transportation.

The Department, through its responsibilities associated with the Forever Wild Land Trust program, provides outdoor recreation opportunities on Forever Wild lands through the development of hiking, biking and water-based trails, along with opportunities for equestrian-related activities as well as providing opportunities for sporting dog field trials.

The Department constructs and operates facilities such as motels and restaurants, manages disabled hunting trail facilities; provides disability facilities and access, parking lots, walkways, shelters, pavilions, fishing lakes, piers, and beach areas on land within the state park system and collects reasonable fees for their use. The Department also enters into contracts for the operation of such facilities and sites.

The Department prepares and updates maps for management areas and park trails and also works with the Department of Transportation to convert state maps, state park boundaries, wildlife management areas, and other related data to digital form.

- **Educating.** The Department conducts educational programs about the natural resources of the state and offers training and outreach programs to the public, such as: land management practices; hunter education classes; fishing workshops; Archery in the Schools training and events; Becoming an Outdoors Woman; various shooting sports events; mentored-hunting programs; trapping workshops and bow hunting workshops in addition to providing education at outdoor expos. The Department also educates private landowners through the Technical Assistance Unit on wildlife habitat and enhancement.

Staff members publish management reports, articles, and informational brochures and produce exhibits for lodges, nature centers, school groups, special events, and conferences. Publications include news releases, departmental brochures, press kits, and other promotional/informational material. Staff members prepare and distribute video programs and coordinate appearances of Department personnel to help inform and educate the general public about the Department. The Department prepares videos for training and informational purposes that are distributed to Department staff and to other states. Staff members maintain a website and social media site as part of the Department's online presence.

- **Enforcing.** ADCNR enforcement officers are state peace officers and have the authority to enforce all laws of the state, with a primary focus on enforcing laws and regulations relating to the Department such as, fishing, hunting and conduct on and use of state-owned land, including submerged land. Certain ADCNR officers are cross-trained and deputized as National Marine Fisheries Service and U. S. Customs agents. They visit and inspect various factories and all places of business that deal in seafood. The Department has full jurisdiction and control of all seafood living in the waters of the state and all oyster reefs and oyster bottoms of the state. ADCNR officers enforce regulations pertaining to preservation/protection of state park lands and natural resources, as well as laws pertaining to the safety and welfare of state park visitors.

The Commissioner can appoint deputies to enforce all laws relative to wild game birds, animals, and fish upon privately owned game preserves and refuges. Deputies must apply for appointment, pass an exam written and administered under the direction of the Commissioner, obtain three letters of recommendation from three qualified voters of the area for which the applicant proposes to serve as a deputy, and submit a letter of consent and authorization from an owner of the privately owned land on which the applicant will exercise authority. Once appointed, deputies only have authority on the privately owned land described in the letter of consent and authorization. They are not state employees and receive no pay or benefits from the state. Deputies only have the arrest power of an ordinary citizen and can only make a citizen's arrest.

- **Managing Projects and Activities.** As a result of the settlement of both civil and criminal claims under the Clean Water Act (CWA) and the Oil Pollution Act (OPA) related to the Deepwater Horizon oil spill of 2010 (DWH), the Department administers and/or manages various programs, projects and activities associated with receipt of funds from DWH related sources (detailed below). Each of these DWH funding sources has unique eligibility requirements, specific decision-making processes/structures as to use of funds, and differing record disposition requirements.

**Funding and implementing restoration efforts through the DWH Natural Resource Damage Assessment (NRDA).** The purpose of this program is to implement restoration efforts pursuant to the Oil Pollution Act (OPA) for Alabama's coastal natural resources and their services that were injured by the Deepwater Horizon oil spill. This process is governed by an Alabama Trustee Implementation Group (TIG) established pursuant to the Programmatic Damage Assessment and Restoration Plan and Programmatic Environmental Impact Statement (PDARP) and associated Consent Decree and comprised of the following federal and state natural resource trustees: Alabama Department of Conservation and Natural Resources, the Geological Survey of Alabama, the United States Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, the United States Environmental Protection Agency and the

United States Department of Agriculture. The Alabama Trustees also participate in both the Regionwide Trustee Implementation Group, comprised of all five Gulf state-based and federal DWH trustees, which develops and implements DWH NRDA restoration projects for the entire Gulf Coast region, and the DWH Trustee Council which generally oversees DWH NRDA restoration efforts.

**Funding and implementing restoration efforts through the National Fish and Wildlife Foundation (NFWF).** The purpose of this program is to implement the purposes of the National Fish and Wildlife Foundation (NFWF) Gulf Environmental Benefit Fund (GEBF) by funding restoration projects for the benefit of natural resources of the Gulf Coast impacted by the oil spill. The funds to be disbursed under this program represent payments received by NFWF and deposited into the GEBF pursuant to plea agreements related to CWA criminal penalties entered as judgment in the cases captioned as United States v. BP Exploration and Production, Inc., Case No. 2:12-cr-00292-SSV (E.D. La.), and United States v. Transocean Deepwater Inc., Case No. 2:13-cr-00001-JTM (E.D. La.). A portion of the GEBF funding is allocated to the State of Alabama.

**Funding and implementing restoration efforts through the Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economies of the Gulf Coast States Act (RESTORE Act).** Congress passed the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act) which established the Gulf Coast Restoration Trust Fund in the U.S. Treasury Department. Eighty percent of the CWA civil penalties paid by responsible parties after July 6, 2012, have been deposited into the Trust Fund. Amounts deposited into the Trust Fund are to be utilized for eligible programs, projects, and activities that restore and protect the environment and economy of the Gulf Coast region as defined under the Act. Some funding decisions are made by the 11-member Gulf Coast Ecosystem Restoration Council comprised of the five Gulf States, including Alabama, and six federal agencies including the U.S. Department of Commerce, U.S. Department of the Interior, U.S. Environmental Protection Agency, U.S. Department of Agriculture, U.S. Department of Homeland Security, and U.S. Department of the Army. Other funding decisions are made by the Alabama Gulf Coast Recovery Council comprised of 10 local and state officials as designated pursuant to the RESTORE Act.

DCNR shall comply with applicable minimum record retention requirements regarding financial records, supporting documents, statistical records and all other departmental records pertinent to federal awards at 2 CFR 200.333, as well as applicable regulations promulgated by the U.S. Department of Treasury and the Gulf Coast Ecosystem Restoration Council.

- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency.

**Managing the Agency:** Activities include internal office management activities common to most government agencies such as corresponding and communicating, scheduling, meeting, documenting policy and procedures, reporting, litigating, legislating (drafting, tracking), publicizing and providing information, managing records, and managing information systems and technology.

**Managing Finances:** Activities include budgeting (preparing and reviewing budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

**Managing Human Resources:** Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits to employees such as leave, health insurance, unemployment compensation, worker's compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; and disciplining.

**Managing Properties, Facilities, and Resources:** Activities include inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; leasing and/or renting offices or facilities; providing security for property managed by the agency; insuring property; and assigning, inspecting and maintaining agency property.

# **Analysis of Record Keeping System and Records Appraisal of the Department of Conservation and Natural Resources**

## **Agency Record Keeping System**

The Department of Conservation and Natural Resources operates a hybrid system composed of computer systems and paper record-keeping. The department has chosen Microsoft Office as the standard office productivity suite.

**Paper-based System:** Most of the departmental records continue to be maintained in paper form. Duplication of records is perhaps the major cause of the volume of paper within the Department.

**Computer Systems:** The current information systems environment is a combination of one primary local area network (LAN) contained within the State of Alabama main campus LAN, a property management system at nine State Parks, as well as thirty-three standalone remote office networks.

The primary LAN uses the State Data Center's IBM mainframe and the Information Services Division's Active Directory Forest as the central repository for information generated and stored by many functional areas of the Department. Systems hosted on the mainframe include the Local Government Financial System (LGFS) and the Government Human Resources System (GHRM). The LAN consists of a Windows Server 2008 functional forest and Fortinet gateway. All user accounts, files, and printers are managed through this Windows Server LAN. The Department has 200 devices locally connecting to this LAN, and approximately 650 devices remotely accessing this LAN. Staff members perform a complete system backup weekly and store the tapes in the Department's central office. The agency uses two onsite network attached storage units and portable hard drives to store the system backup. The Department has internal and remote email capabilities through Microsoft Office 365.

The State Parks Division has a property management system, Megasys Hospitality Systems, in nine parks with 10 servers, 130 terminals, and 50 point of sales terminals. This system has web based reservation for camping, cabins, and hotel rooms. All guest transactions in golf courses, stores, restaurants, and all park facilities are recorded on the park server as well as maintenance requests and work orders. All transactions in these parks are recorded by this system. Parks also maintain a database for accidents/incidents and arrest.

The Wildlife and Freshwater Fisheries, State Lands, and Marine Resources divisions maintain databases on the Department websites. These databases and sites are backed up weekly to disaster recovery sites and tape storage by the Information Services Division.

The Marine Resources Division maintains databases for the Fisheries Assessment and Monitoring Program (FAMP), commercial licenses, and fishery statistics. Information on the commercial impact records, which is currently in a database, is permanent, but the paper

commercial impact records are temporary.

The Heritage Section operates a SQL Server. One function of the database is to take information entered by staff and create a ranking of endangered species. Staff members use the ranking to help prioritize activities of the section. ArcInfo, a GIS software created by Environmental Systems Research Institute, can take information from the databases and show on a map where species are located.

## Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Department: Temporary Records and Permanent Records.

**I. Temporary Records.** Temporary records should be held for what is considered their active life and be disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the Department are discussed below:

- **Shell Planting/Hauling Records.** These records document the Department's efforts to plant oysters. They retain administrative value for reference regarding fairness of bid prices, with a retention of 30 years.
- **Wildlife Tag Records.** Bobcat, alligator, and otter hides in the state must be tagged. Records of the tags must be submitted to the Department by those who acquire the tags. These records are required by the United States Fish and Wildlife Service to be retained for five years (Code of Federal Regulations, Title 50, Chapter I, Part 17).
- **Road Kill Survey Notes.** The Department's staff make notes on any road kills found along the roadways when traveling to document trends in the animal population. These notes are summarized in publications of the Department; therefore, the retention for these notes is short-term at 6 years.
- **Records Relating to Non-Deepwater Horizon Federally Funded Projects.** The Department manages the Federal Assistance Grants provided through the Sport fish and Wildlife Restoration Programs. The United States Fish and Wildlife Service collects an excise tax on certain items of sporting equipment. Those funds are appropriated to the states to fund wildlife projects, wildlife management areas, research, surveys, technical assistance to landowners, and hunter education.

The Department also manages the Coastal Impact Assistance Program (CIAP) funded by offshore oil and gas revenues and provided by the U.S. Fish and Wildlife Service. These funds are utilized for coastal Alabama natural resource restoration. Additionally, pursuant to the federal Coastal Zone Management Act of 1972, as amended, the Department manages the Alabama Coastal Area Management Program (ACAMP) and the Weeks Bay

National Estuarine Research Reserve. Both programs are supported, in part, by federal funding provided through the National Oceanic and Atmospheric Administration. These programs provide public access, local government assistance, and estuary focused education and research funding.

- **Scientific Biological Collection Permits.** These permits, issued by the Department, allow for individuals, agencies, or universities to collect otherwise protected species for research, management, and education purposes and have a 5-year retention.
- **U. S. Corps of Engineer Permit Files.** The Department obtains permits from the United States Army Corps of Engineers for certain projects such as boat ramps, bank stabilization, and maintenance dredging on boat ramps. The permits expire after five years.
- **Bureau of Ocean Energy Management (BOEM) Offshore Oil/Gas Documents.** The Bureau of Ocean Energy Management (BOEM) is part of the U.S. Department of the Interior. The Department reviews any proposed activities in and around Alabama waters. The BOEM will send to the Department for comment information regarding proposed offshore developments. Documents regarding the operations in the Mobile Area are needed longer because these operations directly affect the ocean waters of Alabama, but they are not needed once the development has ended.
- **Forever Wild Nomination Files.** These files are created when a piece of property is nominated for acquisition by the Forever Wild Program. The files include nominations, and may also contain such additional documents such as letters, evaluation reports, maps, environmental assessments, and appraisals. These records should be maintained 5 years after becoming inactive.
- **Safety Inspections and Recommendation Records.** These records document annual safety inspections and follow-ups made by the Department to ensure the parks are in compliance with current safety directives and procedures. The records document safety discrepancies found during the inspection, recommendations for correcting the discrepancies, and follow-up results. Their administrative value quickly diminishes warranting the 3-year retention.
- **Substantial Completion Letters.** Substantial completion letters are mailed by the Department to the State Building Commission for approval after completion of a building project. Once approved, the contractors' time for completion stops, and the builder can advertise for final payment. A retention of 5 years meets this administrative need.
- **Permits for Activities on Department Land.** The Department is responsible for maintaining its land. Anyone wanting to perform routine activities on the land such as crossing the land, performing seismic tests, or laying pipelines or obtaining access for research purposes must obtain permission from the Department. The Department issues



permits for these activities. The retention 10 years after expiration allows for any review based on long-term damage that may have occurred based on these activities.

- **Audio/Video Recordings Related to Enforcing.** These records are created to document traffic stops and other interactions between law enforcement officers and suspected offenders or the public. The series includes, but is not limited to: body/vest cameras, in-car/dash cameras, security recordings, and audio recordings without video. The 2-year retention for those interactions with the public is the statute of limitations for when a person can file suit after an incident.
- **Records Related to Equipment Acquisitions for DWH Projects and Activities.** These records consist of documents related to equipment acquisition for Deepwater Horizon related projects and activities. They may include, but are not limited to, purchase orders, receipts, maintenance agreements, inventory records, and other supporting information.
- **Contractual Services procured using DWH funds.** These records consist of documents related to competitive contractual services procured using Deepwater Horizon funds, including solicitations, legal advertisements, responses to solicitations, award of contract, correspondence as to award/declination/rejection of solicitations, contracts, change orders, addendums, invoices, drawings, and supporting documentation.
- **General Correspondence related to Programmatic DWH Projects and Activities.** This record series consists of routine correspondence and memoranda of a general/programmatic nature that are associated with Deepwater Horizon funding sources that are not maintained pursuant to other specific file descriptions.
- **Project Files for DWH Projects and Activities.** These records consist of documents related to projects and activities associated with Deepwater Horizon funding. They may include, but are not limited to, non-competitive contracts, cost estimates, cooperative agreements, correspondence, memoranda, resolutions, narratives, cost estimates, budget requests, budgets, budget revisions, invoices, project performance information, reports, permits (including, but not limited to, environmental permits), maps and other supporting documentation.
- **Litigation Case Files for DWH Projects and Activities.** This record series consists of legal documents, notes, reports, background material, etc., created or received in anticipation of, in preparing for, or engaging in, litigation of legal claims.
- **Audit Reports for DWH Projects and Activities.** These records consist of reports related to the audit of projects, programs and activities which utilized Deepwater Horizon funding sources. The documentation may include audit reports, audit responses and associated supporting documentation.

- **Records related to Project Monitoring Data Collection.** These records contain documents related to project specific post-construction monitoring data collected pursuant to Deepwater Horizon funded projects. Data could include monitoring data, biological surveys, geotechnical data, and other project specific post-construction monitoring data.

**II. Permanent Records.** The Government Records Division recommends the following records as permanent.

### **Promulgating Rules and Regulations**

- **Register of Administrative Rules.** Each agency shall have an officer [who] shall file in the office of the Secretary of State a certified copy of each rule adopted by it. The secretary of the agency shall keep a permanent register of the rules open to public inspection. (Code of Alabama 1975, Sections 41-22-6) **(Bibliographic Title: Not Applicable) (Maintained by the Alabama Department of Conservation and Natural Resources)**

### **Protecting/Conserving/Increasing the Wildlife of the State**

- **Wildlife/Public Water Stocking Records.** Department staff members record information about deliveries of wildlife/fish stocked into Alabama's lands and waters. Information includes species, number, size, and weight. The information is necessary to document trends in wildlife/fish populations and the work of the Department to increase the wildlife/fish of the state. These records can be used to study the health of the environment and natural resources of the state over time. **(Bibliographic Title: Wildlife and Fish Records)**
- **Sample Data.** The Department conducts research and assessment projects on finfish, shrimp, crabs, and oysters. Data collected from captured samples includes size, amount, and hydrological information. Because these records enable the Department to track trends in fish population dynamics and to make management decisions, they retain both historic and administrative value. **(Bibliographic Title: Not Applicable) (Maintained by the Alabama Department of Conservation and Natural Resources)**
- **Reef Records (summary).** The Department is permit holder for artificial reef zones offshore of Alabama consisting of approximately 1200 square miles of area. As such the Department regulates the creation of artificial reefs in the zone. Summary records are maintained of materials placed in the area by the Department or by private individuals. The records list type of material, location, and date of employment. **(Bibliographic Title: Not Applicable) (Maintained by the Alabama Department of Conservation and Natural Resources)**

- **Fisheries Data (Database and Reports).** Information from various sources (including oyster tags, trip tickets, commercial impact records, and Fisheries Assessment and Monitoring Program (FAMP) records) is entered into a database by staff of the Marine Resources Division. This information documents such information as commercial landings, results of plankton tests performed at 126 stations, and the changing conditions that affect the fisheries of the state. These records can be used to study the conditions of the environment in the state's waters over time and can help to show researchers the effect of pollution and other factors on the environment. The division occasionally creates reports from the data, which are also maintained permanently as fisheries data. **(Bibliographic Title: Not Applicable) (Maintained by the Alabama Department of Conservation and Natural Resources)**
- **Biologist Research Projects and Survey Records.** These records document various technical studies by Department biologists on fish species in Alabama's waters. They are necessary to assist the Department in its mandate and also to facilitate further research. **(Bibliographic Title: Biologist Research Projects and Survey Records)**
- **Fish Kill Reports.** When a large amount of fish in an area is discovered as dead, it is known as a fish kill. Fish kill reports are formal reports for fish kills in Alabama's public waters and are provided to the Department of Environmental Management and the Attorney General's Office to document the value of fish killed in each fish kill. The reports are necessary to document the adverse action against the state's wildlife. These records can be used to study the conditions of the environment in a particular area of the state over time and the effect of pollution and other factors on the environment. **(Bibliographic Title: Fish Kill Reports)**
- **Records of Natural Heritage Activities.** The Department is responsible for collecting and maintaining certain information as to the natural heritage of the state. Activities undertaken for the natural heritage of the state include the identification and inventory of Alabama's historic and current plants, animals, and areas of biological significance and the maintenance of a central database depository for biological information in the state. The records also provide valuable research tools for the Department and the public. **(Bibliographic Title: Natural Heritage Activities Records)**
- **Records of United States Corps of Engineers Projects.** The Water Resources Act of 1986 mandated the United States Corps of Engineers to provide mitigation for the wildlife habitat that was destroyed by the construction of the Tennessee-Tombigbee Waterway. Approximately 34,000 acres were purchased in Alabama as a result. The Corps provides management funds to the Department to manage the sites. These records document the destruction of the environment and how the state handles recoupment. **(Bibliographic Title: United States Corps of Engineers Project Records)**
- **Records of Comment on Corp of Engineer Applications and Impact Statements.** The Department comments on applications for Corps of Engineers' permits made by other

agencies and on environmental impact statements. The comments on permits are used by the Corps of Engineers to decide on the issuance of a permit. These records are necessary to document the Department's opinion of an application or impact. If a permit is ultimately issued pursuant to an application for an activity as to which the Department does not agree with, these records show that the Department has objected. This documentation is necessary in the event the approved application leads to environmental damage. The comments and impact statements are necessary to document the Department's opinion on particular projects that effect the environment. These comments are not always incorporated into the final statement. **(Bibliographic Title: Corp of Engineer Applications and Impact Statements Comment Records)**

- **Records of Alabama Power Company Projects.** As a result of the completion of the Harris Dam, Alabama Power Company was required to provide mitigation for wildlife habitat that was lost. As a portion of the requirement, Alabama Power purchased 15,300 acres in Jackson County and provides funds to the Department to manage the area. The land is included as a portion of the Martin-Skyline Wildlife Management Area. These records document the destruction of the environment and how the state handles recoupment. **(Bibliographic Title: Alabama Power Company Mitigation Project Records)**
- **Federal Energy Regulatory Commission Project Records.** These records are of technical studies and reports required by the Federal Energy Regulatory Commission prior to the licensing of hydroelectric and natural gas projects. When there is a change in a dam or license for the dam, when a dam comes up for relicensing, or when there are desires to change the pattern for dam water release, a study is performed by the Department to see what effects on the environment may occur. Similar studies are performed for natural gas projects. These records retain administrative value for the life of the project. Their research and evidential value continues after the life of the project because of the long-term effects of dams and natural gas projects on the environment. **(Bibliographic Title: Federal Energy Regulatory Commission Project Records)**
- **Records of Mitigation.** The Department works with other agencies to negotiate settlements that will be beneficial to the state's natural resources. As part of this activity, the Department comments on any proposed mitigation settlement. These records document the Department's comments as well as the mitigation itself. One of the items that the Department is working with is the issue of the water quality that flows between Georgia and Alabama. **(Bibliographic Title: Mitigation Records)**

## **Managing State Lands**

- **Maps.** These maps are created by the Department, usually with the help of outside agencies and entities, for distribution and for use by the Department. They summarize other documents that show the boundaries and locations of lands and sites within the state. These records enable quick access to information found in other records such as

deeds and are necessary to facilitate administrative activities and research.  
**(Bibliographic Title: Maps)**

- **Survey Notes/Plats/Tract Files.** These records are created and/or maintained to give staff members information regarding land conditions and desirability to enable staff to make decisions regarding the acquisition and/or management of the land. Because these records give detailed information about the land, they are useful in researching land ownership and condition in the state. **(Bibliographic Title: Not Applicable)**  
**(Maintained by the Alabama Department of Conservation and Natural Resources)**
- **Files of Management of Property Held By Other Agencies.** These records document the Department's management of certain state lands held by other agencies. This series of records provides a source of research into the purchases, maintenance, and lease and sale of state-owned property. **(Bibliographic Title: Not Applicable)** **(Maintained by the Alabama Department of Conservation and Natural Resources)**
- **Deeds/Abstracts.** These records document the ownership of lands that are or have been owned by the Department and are necessary to document the Department's acquisition and/or sale of land. **(Bibliographic Title: Not Applicable)** **(Maintained by the Alabama Department of Conservation and Natural Resources)**
- **Land Records Submitted to the Land Resources Information Center.** The state land resources information center of the Department compiles certain data and information on state-owned lands within Land Resource Information Center requirements. The information is derived from land records sent to the center, such as certified copies of original deeds or other records of ownership to the state of property, along with notation of any changes in status or ownership. Because the compiled information is constantly changing for administrative purposes, it is necessary to retain the source documentation for historic purposes. This source documentation contains information that documents land ownership by the state and provides research information on topics such as land management and ownership by the state as well as information on land use in general. **(Bibliographic Title: Not Applicable)** **(Maintained by the Alabama Department of Conservation and Natural Resources)**
- **Offshore Revenue Check Details.** These financial records document funds submitted to the Alabama Trust Fund. Because they document funds going into the Alabama Trust Fund, they retain administrative value to the Department. These records of submitted funds are maintained by the Department and not the State Treasurer. **(Bibliographic Title: Not Applicable)** **(Maintained by the Alabama Department of Conservation and Natural Resources)**
- **Approved Notices of Intent to Impact State-Owned Submerged Lands.** These records document approved activities impacting state owned submerged land and provide detail on location, specific impact, and adjacent upland landowner. **(Bibliographic Title:**

## Submerged Lands Records)

### Preserving State Lands

- **Records of Forever Wild Acquisitions/Activities.** These records document the activities of the Forever Wild Land Trust. As this is the core documentation of the trust, it retains administrative, financial, evidential, and historic value. **(Bibliographic Title: Forever Wild Land Trust Records)**

### Facilitating Recreation

- **State Parks Profit and Loss End of Year Reports.** These reports document the financial status of the parks during the year. They are necessary to show progress or decline from year-to-year and also to document trends in park usage. **(Bibliographic Title: State Publications)**
- **Records of Largest Caught of Each Species of Fish.** These records include application forms and the listing of largest caught. Not only do these records document the statistics on largest fish, which can be used for research, they also document who is the current holder of the award for largest fish of a species caught in the state, which is necessary for evidential purposes. Superseded records are still necessary for research as the records can help to document trends in fish and fishing. **(Bibliographic Title: Largest Caught Fish Records)**

### Educating

- **News/Press Releases.** These records document activities of the Department and how the Department sees its mission and obligations. **(Bibliographic Title: Publicity Files)**
- **Informational and Promotional Publications.** These publications document activities of the Department and show how the Department views its function. Publications include, hunting and fishing digests and brochures covering such areas as the state parks and programs. **(Bibliographic Title: State Publications)**
- **Photographs, Photographic Prints/Slides/Negatives, Videotapes, CD-ROMS, Blu-ray discs and Scripts.** These records are filed according to subject. They document some of the Department's programs and also often record photographic images of Alabama's wildlife. Some of the records are routine, while others retain research value. Prior to being destroyed, records should be reviewed for content. **(Bibliographic Title: Audiovisual Materials)**

## Managing Projects and Activities

- **Records Related to Land Acquisitions.** These records document projects and activities related to the acquisition of interests in land with Deepwater Horizon funding. These records include documents such as appraisals, geotechnical reports, abstracts, surveys, easements and deeds. **(Bibliographic Title: Land Acquisitions Records)**
- **Minutes of the Alabama Trustee Implementation Group.** These records document the activities of the group. As this is the core documentation of the meetings of the Alabama Trustee Implementation Group (TIG), it retains administrative, financial, evidential and historic value. **(Bibliographic Title: Alabama Trustee Implementation Group Minutes)**
- **Minutes of the Alabama Gulf Coast Recovery Council.** These records document the activities of the council. As this is the core documentation of the meetings of the Alabama Gulf Coast Recovery Council, it retains an administrative, financial, evidential and historic value. **(Bibliographic Title: Alabama Gulf Coast Recovery Council Minutes)**
- **News/Press Releases/Informational Publications.** These records document and/or describe activities related to informing the public about Deepwater Horizon related projects and activities. **(Bibliographic Title: State Publications)**

## Administering Internal Operations

- **Department/Division/Section Annual Reports.** Annual reports provide the best summary documentation of the Department. Many times, information is found only in the annual reports. The Department annual report does not always include all of the details found in the division and section reports. Many of these details are important for documentation of the activities of the Department. **(Bibliographic Title: State Publications)**
- **Administrative Files of the Commissioner that Document Policy, Process, and Procedure.** As the Department head, the Commissioner sets policy and procedures for the Department and serves as a member of several boards. The correspondence that documents the activities and decisions of the Commissioner and/or the Department, as well as other agencies should be retained permanently. Routine correspondence and subject files, especially those essentially just serving as reference material, have a short-term retention of 3 years – see Routine Correspondence and Subject Files of the Commissioner. **(Bibliographic Title: Commissioner Administrative Files)**
- **Advisory Board Minutes.** These records are the core documentation of the Department of Conservation and Natural Resources Advisory Board. In many instances these minutes

are the only documentation of actions of the Board. **(Bibliographic Title: Advisory Board Minutes)**

- **Records of Serving.** These records document the activities of the various organizations on which the Commissioner serves. In some instances, these records may be the only documentation of actions taken during the meetings. Until other documentation of the various boards, commissions, and committees is appraised, these records serve as the core documentation of those agencies. **(Bibliographic Title: Commissioner Service Records)**
- **Website(s) and Social Media Sites(s).** ADAH staff capture and preserve the agency's website(s) and other social media sites via a service offered by the Internet Archive [Archive It]. Any content behind a password protected page or login would not be captured by ADAH. Check with the ADAH website at [www.archive-it.org/organizations/62](http://www.archive-it.org/organizations/62) to ensure your agency's website(s) and social media site(s) are captured and preserved. If your agency's website(s) and social media site(s) are not captured by the service, please contact the Government Services Division at 334-242-4452 to get them included. **(Bibliographic Title: Websites and Social Media Sites)**
- **Minority Recruitment Committee Meeting Minutes.** These records document the Department's efforts to increase minority representation in the work force. **(Bibliographic Title: Not Applicable) (Maintained by the Alabama Department of Conservation and Natural Resources)**



# **Permanent Records List**

## **Alabama Department of Conservation and Natural Resources**

### **Promulgating Rules and Regulations**

1. \*Register of Administrative Rules

### **Protecting and Conserving**

1. Wildlife/Public Water Stocking Records
2. \*Sample Data
3. \*Reef Records (summary)
4. \*Fisheries Data
5. Commercial Impact (Summary Information)
6. Biologist Research Projects and Survey Records
7. Fish Kill Reports
8. Records of Natural Heritage Activities
9. Records of United States Corps of Engineers Projects
10. Records of Comment on Corp of Engineer Applications and Impact Statements.
11. Records of Alabama Power Company Project
12. Federal Energy Regulatory Commission Project Records
13. Records of Mitigation

### **Managing State Lands**

1. Maps
2. \*Survey Notes/Plats/Tract Files
3. \*Files of Management of Property Held By Other Agencies
4. \*Deeds/Abstracts
5. \*Land Records Submitted to the Land Resource Information Center
6. \*Offshore Revenue Check Details
7. Approved Notices of Intent to Impact State-Owned Submerged Lands

### **Preserving State Lands**

1. Records of Forever Wild Acquisitions/Activities

### **Facilitating Recreation**

1. State Parks Profit and Loss End of Year Reports
2. Records of Largest Caught of Each Species of Fish

### **Educating**

1. News/Press Releases
2. Informational and Promotional Publications
3. Photographs, Photographic Prints/Slides/Negatives, Videotapes, CD-ROMS, Blue-ray Discs and Scripts

### **Managing Deepwater Horizon Projects and Activities**

1. Records Related to Land Acquisitions
2. Minutes of the Alabama Trustee Implementation Group
3. Minutes of the Alabama Gulf Coast Recovery Council
4. News/Press Releases/Information Publications for Deepwater Horizon Projects and Activities

### **Administering Internal Operations**

1. Department/Division/Section Annual Reports
2. Administrative Files of the Commissioner that Document Policy, Process, and Procedure
3. Advisory Board Minutes
4. Records of Serving
5. Website(s) and Social Media Site(s)
6. \*Minority Recruitment Committee Meeting Minutes

\* Indicates records that the Alabama Department of Archives and History (ADAH) anticipates will remain in the care and custody of the creating agency. ADAH staff is available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

# **Department of Conservation and Natural Resources Records Disposition Authority**

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Services Division, Alabama Department of Archives and History (ADAH), which serves as the Commission's staff, in cooperation with representatives of the Agency. The RDA lists records created and maintained by the Agency in carrying out their mandated functions and activities. It establishes minimum retention periods and disposition instructions for those records and provides the legal authority for the Agency to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and may be made available to members of the public. Records also must be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the agency records manager or ADAH Government Services Division at (334) 242-4452.

## **Explanation of Records Requirements**

The RDA shall govern the disposition of all records, regardless of format, created by the agency from creation to dissolution. Please contact the staff of the Department of Archives and History before destroying any records created prior to 1940.

This RDA supersedes any previous records disposition schedules or RDAs governing the retention of the records created by the Agency. Copies of superseded schedules are no longer valid and may not be used for records disposition.

The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.

Certain other record-like materials are not actually regarded as official records and may be disposed of under this RDA. Such materials include (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document agency activities; (3) stocks of blank stationery, blank forms, or other surplus

materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes, may include, but are not limited to, telephone call-back messages, drafts of ordinary documents not needed for their evidential value, copies of material sent for information purposes but not needed by the receiving office for future business, and internal communications about social activities; (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff. They may be disposed of without documentation of destruction.

## **Records Disposition Requirements**

This section of the RDA is arranged by subfunctions of the Agency and lists the groups of records created and/or maintained as a result of activities and transactions performed in carrying out these subfunctions. The Agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular biannual meetings.

### **Promulgating Rules and Regulations**

#### **REGISTER OF ADMINISTRATIVE RULES**

Disposition: PERMANENT RECORD. (Code of Alabama 1975, Sections 41-22-6)

#### **Administrative Rule Files**

Disposition: Temporary Record. Retain for useful life.

#### **Public Hearing Notices**

Disposition: Temporary Record. Retain 1 year.

#### **Rulemaking Hearing Records**

Disposition: Temporary Record. Retain 20 years.

### **Protecting and Conserving**

#### **Wildlife and Freshwater Fisheries Division Correspondence**

Disposition: Temporary Record. Retain 5 years.

#### **Shell Planting/Hauling Records**

Disposition: Temporary Record. Retain 30 years.

#### **WILDLIFE/PUBLIC WATER STOCKING RECORDS**

Disposition: PERMANENT RECORD.

#### **Wildlife Tag Records**

Disposition: Temporary Record. Retain 5 years.

**Applications for Fish Pond Technical Guidance**

Disposition: Temporary Record. Retain 5 years.

**SAMPLE DATA**

Disposition: PERMANENT RECORD.

**REEF RECORDS**

- a. REEF RECORDS SUMMARY INFORMATION  
Disposition: PERMANENT RECORD.
- b. Reef Records Non-Summary Information  
Disposition: Temporary Record. Retain for useful life.

**FISHERIES DATA**

- a. FISHERIES DATABASE AND DATA REPORTS  
Disposition: PERMANENT RECORD.
- b. Fisheries Data Source Records (includes oyster tags)  
Disposition: Temporary Record. Retain 1 year.
- c. Fisheries Data Summaries Created for Individuals  
Disposition: Temporary Record. Retain 1 year after audit.

**Biological Water Check Cards**

Disposition: Temporary Record. Retain 5 years.

**BIOLOGIST RESEARCH PROJECTS AND SURVEY RECORDS**

Disposition: PERMANENT RECORD.

**FISH KILL REPORTS**

Disposition: PERMANENT RECORD.

**RECORDS OF NATURAL HERITAGE ACTIVITIES**

Disposition: PERMANENT RECORD.

**Road Kill Survey Notes**

Disposition: Temporary Record. Retain 6 years.

**Confidential Data Requests**

Disposition: Temporary Record. Retain until expiration.

**Records Relating to Non-Deepwater Horizon Federally Funded Projects (non-**

**research/survey records)**

Disposition: Temporary Record. Retain 15 years.

**RECORDS OF U.S. CORPS OF ENGINEERS PROJECTS**

Disposition: PERMANENT RECORD.

**RECORDS OF COMMENT ON CORP OF ENGINEER APPLICATIONS AND IMPACT STATEMENTS.**

Disposition: PERMANENT RECORD.

**RECORDS OF ALABAMA POWER COMPANY PROJECT**

Disposition: PERMANENT RECORD.

**FEDERAL ENERGY REGULATORY COMMISSION PROJECT RECORDS**

Disposition: PERMANENT RECORD.

**Scientific Biological Collection Permits**

Disposition: Temporary Record. Retain 5 years.

**RECORDS OF MITIGATION**

Disposition: PERMANENT RECORD.

**Managing State Lands**

**MAPS**

Disposition: PERMANENT RECORD.

**SURVEY NOTES/PLATS/TRACT FILES**

Disposition: PERMANENT RECORD.

**U.S. Corps of Engineer Permit Files**

Disposition: Temporary Record. Retain 10 years after expiration.

**Managing State Lands: Acquiring/Selling/Leasing**

**Records of Bids for Purchase or Lease of State Lands**

Disposition. Temporary Record. Retain for 6 years after award/rejection of bids. (Code of Alabama 1975, Section 9-15-78)

**FILES OF MANAGEMENT OF PROPERTY HELD BY OTHER AGENCIES (NOT LAND RESOURCE INFORMATION RECORDS)**

Disposition: PERMANENT RECORD.

**DEEDS/ABSTRACTS**

Disposition: PERMANENT RECORD.

### **Managing State Lands: Maintaining Records**

#### **LAND RECORDS SUBMITTED TO THE LAND RESOURCES INFORMATION CENTER**

Disposition: PERMANENT RECORD.

#### **Land Resource Information Center Land Data Compilation**

Disposition: Temporary Record. Retain until superseded.

### **Managing State Lands: Utilizing and Developing**

#### **Leases**

- a. Offshore Leases  
Disposition: Temporary Record. Retain 10 years after termination/expiration.
- b. Non-Offshore Leases  
Disposition: Temporary Record. Retain 5 years after termination/expiration.

#### **Audits**

Disposition: Temporary Record. Retain 5 years.

#### **Bureau of Ocean Energy Management (BOEM) Offshore Oil/Gas Documents**

- a. BOEM Offshore Oil/Gas Document Not in the Mobile Area  
Disposition: Temporary Record. Retain 1 year.
- b. BOEM Offshore Oil/Gas Documents in the Mobile Area  
Disposition: Temporary Record. Retain for the life of the development.

#### **Non-Offshore Revenue Check Details**

Disposition: Temporary Record. Retain 1 year after audit.

#### **OFFSHORE REVENUE CHECK DETAILS**

Disposition: PERMANENT RECORD.

#### **Oil and Gas Royalty Reports**

Disposition: Temporary Record. Retain 3 years.

#### **Timber Salvage Reports**

Disposition: Temporary Record. Retain 1 year after audit.

## **Managing State Lands: Managing Impacts to Submerged Lands**

### **APPROVED NOTICES OF INTENT TO IMPACT STATE-OWNED SUBMERGED LANDS**

Disposition: PERMANENT RECORD.

#### **Dredge Permits**

Disposition: Temporary Record. Retain 10 years after expiration.

#### **Riparian Easements**

Disposition: Temporary Record. Retain 5 years after expiration.

#### **Easements**

Disposition: Temporary Record. Retain 5 years after expiration

#### **U.S. Corp of Engineer Permit Files**

Disposition: Temporary Record. Retain 10 years after expiration.

## **Preserving State Lands**

### **RECORDS OF FOREVER WILD ACQUISITIONS/ACTIVITIES**

Disposition: PERMANENT RECORD.

#### **Forever Wild Nomination Files**

Disposition: Temporary Record. Retain 5 years after becoming inactive.

## **Facilitating Recreation**

### **Safety Inspections and Recommendation Records**

Disposition: Temporary Record. Retain 3 years.

### **Facility Maintenance Check Cards**

Disposition: Temporary Record. Retain 2 years.

### **Substantial Completion Letters**

Disposition: Temporary Record. Retain 5 years.

### **Architectural/Engineering Contracts**

Disposition: Temporary Record. Retain for life of individual that affixed professional stamp.

### **Permits for Activities on Department Land**

Disposition: Temporary Record. Retain 10 years after expiration.

### **Division/Facility Operation Records (includes park receipts, sales and lodging tax records,**



**rental slips, sales and cash reports, rain checks, rental/utility payments, facility use reports, monthly budget reports, guest origin, Senior Citizen Discount Card Applications, transfer summaries, and resale inventories)**

Disposition: Temporary Record. Retain 1 year after audit.

**Boat Slip Contracts**

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

**STATE PARKS PROFIT AND LOSS END OF YEAR REPORTS**

Disposition: PERMANENT RECORD.

**State Park Resource Evaluation Records (identify damaged timber, plants, and wildlife to be removed and Plant/Herbicide Projects)**

Disposition: Temporary Record. Retain 3 years.

**Records of Road Maintenance**

Disposition: Temporary Record. Retain 5 years.

**Construction Projects Files (includes specifications and plans)**

Disposition: Temporary Record. Retain 13 years.

**Guest Comment Cards**

Disposition: Temporary Record. Retain 3 years.

**Guest Folios and Registration Cards**

Disposition: Temporary Record. Retain 5 years.

**RECORDS OF LARGEST CAUGHT OF EACH SPECIES OF FISH**

Disposition: PERMANENT RECORD.

**Educating**

**NEWS/PRESS RELEASES**

Disposition: PERMANENT RECORD.

**INFORMATIONAL AND PROMOTIONAL PUBLICATIONS**

Disposition: PERMANENT RECORD.

**PHOTOGRAPHS, PHOTOGRAPHIC PRINTS/SLIDES/NEGATIVES, VIDEOTAPES, CD-ROMS, BLUERAY DISCS AND SCRIPTS**

a. HISTORIC DOCUMENTATION

Disposition: PERMANENT RECORD.

- b. Routine Documentation  
Disposition: Temporary Record. Retain for useful life.

## **Enforcing**

### **Enforcement Officers Procedures Manual**

Disposition: Temporary Record. Retain 25 years after superseded.

### **Accident/Arrest/Incident Files**

Disposition: Temporary Record. Retain 6 years.

### **Arrest Reports/Case Disposition**

Disposition: Temporary Record. Retain 6 years.

### **Citations/Warnings**

Disposition: Temporary Record. Retain 5 years.

### **Annual Arrest Reports**

Disposition: Temporary Record. Retain 4 years.

### **Audio/Video Recordings Related to Enforcing**

- a. Body camera and videos with the public interaction  
Disposition: Temporary Record. Retain 2 years.
- b. Body camera and videos that become part of a case file  
Disposition: Temporary Record. Retain 15 years after closure of case for which recording was created.
- c. All other audio or video footage  
Disposition: Temporary Record. Retain for useful life.

### **License Books**

Disposition: Temporary Record. Retain 1 year after audit.

### **Reports/Records of License Sales**

Disposition: Temporary Record. Retain 1 year after audit.

### **Lifetime Licenses and Applications**

Disposition: Temporary Record. Retain 75 years.

### **Disabled Archery Permits/Dog Deer Club Permits**

Disposition: Temporary Record. Retain 5 years.

**Registration Statistics and Monthly Reports**

Disposition: Temporary Record. Retain 1 year after audit.

**Officers Weekly Activity Reports**

Disposition: Temporary Record. Retain 5 years.

**Crop Damage Permits**

Disposition: Temporary Record. Retain 4 years.

**Field Trials Permits**

Disposition: Temporary Record. Retain 3 years.

**Correspondence**

Disposition: Temporary Record. Retain 3 years.

**Records of Requests for Information/Accident Reports**

Disposition: Temporary Record. Retain 3 years.

**Managing Projects and Activities****Managing Deepwater Horizon Projects and Activities: Funding and implementing restoration efforts through the DWH Natural Resource Damage Assessment (NRDA)****RECORDS RELATED TO LAND ACQUISITIONS**

Disposition: PERMANENT RECORD.

**Records Related to Equipment Acquisitions**

Disposition: Temporary Record. Retain for 6 years after final disposition.

**Contractual Services Files**

Disposition: Temporary Record. Retain 10 years after completion of work performed under the contract.

**News/Press Releases/Informational Publications**

Disposition: Temporary Record. Retain 6 years.

**General Programmatic Correspondence**

Disposition: Temporary Record. Retain 6 years

**Project Files**

Disposition: Temporary Record. Retain 6 years after project completion (excluding post-construction monitoring period).

## **MINUTES OF THE ALABAMA TRUSTEE IMPLEMENTATION GROUP**

Disposition: PERMANENT RECORD.

### **Legal Case Files**

Disposition: Temporary Record. Retain 6 years after resolution.

### **Audit Reports**

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

### **Records Related to Project Monitoring Data Collection**

Disposition: Temporary Record. Retain 6 years.

## **Managing Deepwater Horizon Projects and Activities: Funding and implementing restoration efforts through the National Fish and Wildlife Foundation (NFWF)**

### **RECORDS RELATED TO LAND ACQUISITIONS**

Disposition: PERMANENT RECORD.

### **Records Related to Equipment Acquisitions**

Disposition: Temporary Record. Retain for 5 years after final disposition.

### **Contractual Services Files**

Disposition: Temporary Record. Retain 6 years after completion of work performed under the contract.

### **News/Press Releases/Informational Publications**

Disposition: Temporary Record: Retain 5 years.

### **General Programmatic Correspondence**

Disposition: Temporary Record: Retain 5 years.

### **Project Files**

Disposition: Temporary Record: Retain 6 years after project completion (excluding post-construction monitoring period).

### **Legal Case Files**

Disposition: Temporary Records. Retain 5 years after resolution.

### **Audit Reports**

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

**Records Related to Project Monitoring Data Collection**

Disposition: Retain 5 years.

**Managing Deepwater Horizon Projects and Activities: Funding and implementing restoration efforts through the Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economies of the Gulf Coast States Act (RESTORE Act)**

**RECORDS RELATED TO LAND ACQUISITIONS**

Disposition: PERMANENT RECORD.

**Records Related to Equipment Acquisitions**

Disposition: Temporary Record: Retain for 3 years after final disposition.

**Contractual Services Files**

Disposition: Temporary Record. Retain 6 years after completion of work performed under the contract.

**News/Press Releases/Informational Publications**

Disposition: Temporary Record. Retain 3 years.

**General Programmatic Correspondence**

Disposition: Temporary Record. Retain 3 years.

**Project Files**

Disposition: Temporary Record. Retain 6 years after project completion (excluding post-construction monitoring period).

**MINUTES OF THE ALABAMA GULF COAST RECOVERY COUNCIL**

Disposition: PERMANENT RECORD.

**Legal Case Files**

Disposition: Temporary. Retain 3 years after resolution.

**Audit Reports**

Disposition: Temporary Record. Retain 1 year after subsequent audit.

**Records Related to Project Monitoring Data Collection**

Disposition: Temporary Record. Retain 3 years.

**Administering Internal Operations: Managing the Agency**

**Administrative Reference Files**

Disposition: Temporary Record. Retain for useful life.

**Legislative Tracking Files**

Disposition: Temporary Record. Retain for useful life.

**Departmental Telephone Logs/Calendars**

Disposition: Temporary Record. Retain 1 year.

**DEPARTMENT/DIVISION/SECTION ANNUAL REPORTS**

Disposition: PERMANENT RECORD.

**ADMINISTRATIVE FILES OF THE COMMISSIONER THAT DOCUMENT POLICY, PROCESS, AND PROCEDURE**

Disposition: PERMANENT RECORD.

**Routine Correspondence and Subject Files of the Commissioner**

Disposition: Temporary Record. Retain 3 years.

**General Correspondence**

Disposition: Temporary Record. Retain 3 years.

**Requests for Information**

Disposition: Temporary Record. Retain 1 year after audit.

**Activity Reports**

Disposition: Temporary Record. Retain 5 years after end of the fiscal year in which the records were created.

**Procedural and Other Manuals for Financial and Human Resources Management**

Disposition: Temporary Record. Retain 1 year after the audit for the fiscal year in which the manuals were superseded.

**Mailing Lists**

Disposition: Temporary Record. Retain for useful life.

**Financial and Human Resources Operation Plans**

Disposition: Temporary Record. Retain 10 years.

**ADVISORY BOARD MINUTES**

Disposition: PERMANENT RECORD.

**Recordings of Meetings**

Disposition: Temporary Record. Retain 1 year after end of the fiscal year in which the minutes were approved.

## **RECORDS OF SERVING**

Disposition: PERMANENT RECORD.

### **Legal Case Files**

Disposition: Temporary Record. Retain 15 years after closure.

### **Records documenting the employee appeal to the Personnel Board of formal reprimands, demotions, transfers, or terminations**

Disposition: Temporary Record. Retain 3 years following decision of Personnel Board.

### **Records of Personnel Issues**

Disposition: Temporary Record. Retain 5 years.

### **Records documenting Equal Employment Opportunity Commission (EEOC) complaints and lawsuits**

Disposition: Temporary Record. Retain 10 years after final settlement.

### **Records documenting Board of Adjustment claims**

Disposition: Temporary Record. Retain 5 years after final settlement.

### **Legal Correspondence**

Disposition: Temporary Record. Retain 5 years.

### **Opinions**

Disposition: Temporary Record. Retain 30 years.

### **Computer systems documentation (hardware/software specifications and warranties)**

Disposition: Temporary Record. Retain documentation of former system 1 year after audit for the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

## **WEBSITE(S) AND SOCIAL MEDIA SITE(S)**

Disposition: PERMANENT RECORD.

(ADAH staff capture and preserve the agency's website(s) and other social media sites via a service offered by the Internet Archive [Archive It]. Any content behind a password protected page or login would not be captured by ADAH. Check with the ADAH website at [www.archive-it.org/organizations/62](http://www.archive-it.org/organizations/62) to ensure your agency's website(s) and social media site(s) are captured and preserved. If your agency's website(s) and social media site(s) are not captured by the service, please contact the Government Services Division at 334-242-4452 to get them included.)

### **Records documenting the implementation of the agency's RDA (copies of transmittals forms to Archives or State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)**

Disposition: Temporary Record. Retain 1 year after audit.

### **Copy of RDA**

Disposition: Temporary Record. Retain 1 year after the audit for the fiscal year in which the RDA was superseded.

## **Administering Internal Operations: Managing Finances**

**Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance**

Disposition: Temporary Record. Retain 1 year after audit.

**Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products (includes AST-1 and AST-1A)**

Disposition: Temporary Record. Retain 1 year after audit.

**Records of original entry or routine accounting transactions, such as journals, registers, and ledgers, and records of funds deposited outside the state treasury**

Disposition: Temporary Record. Retain 1 year after audit.

### **Cash Register Operation Records**

Disposition: Temporary Record. Retain 1 year after audit.

### **Credit Card Sales Slips and Batch Headers**

Disposition: Temporary Record. Retain 5 years.

### **Receipt Logs**

Disposition: Temporary Record. Retain 1 year after audit.

**Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries**

Disposition: Temporary Record. 1 year after audit.

### **Records documenting contracts for services or personal property**

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

**Records documenting the bid process (including requests for proposals and unsuccessful responses).** These records document the bid process, including requests for proposals and unsuccessful responses.

- a. Sealed Bids over \$15,000:

Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which



the bids were opened. (Code of Alabama 1975, Section 41-16-24).

b. Other Bids:

Disposition: Temporary Record. Retain for 10 years after the award of the contract, then destroy.

**Audit Reports**

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

**Internal audits**

Disposition: Temporary Record. Retain 1 year after audit.

**Records documenting the application for, award of, receipt and disbursement of, and reporting of expenditure of federal funds received through grants and federal disaster funds**

Disposition: Temporary Record. Retain 6 years after submission of final expenditure report.

**Records documenting the unsuccessful application for grants and federal disaster funds**

Disposition: Temporary Record. Retain 1 year.

**Housekeeping and maintenance records**

Disposition: Temporary Record. Retain 3 years.

**Administering Internal Operations: Managing Human Resources**

**Job Recruitment Materials**

Disposition: Temporary Record. Retain 1 year after audit.

**Application Materials**

Disposition: Temporary Record. Retain 1 year.

**Position Classification Questionnaire**

Disposition: Temporary Record. Retain 4 years after reclassification of the position.

**Records documenting payroll (e.g. pre-payroll reports, payroll check registers)**

Disposition: Temporary Record. Retain 1 year after audit.

**Records documenting payroll deductions for tax purposes (including Form 941)**

Disposition: Temporary Record. Retain 1 year after audit.

**Records documenting employee hours worked, leave earned, and leave taken**

Disposition: Temporary Record. Retain 1 year after audit.

**Subsistence Forms**

Disposition: Temporary Record. Retain 5 years.

**Records documenting leave donations**

Disposition: Temporary Record. Retain 1 year after audit.

**Records of final leave status**

Disposition: Temporary Record. Retain record of individual employees' cumulative leave 6 years after separation of employee from the agency.

**Records documenting an employee's work history - generally maintained as a case file**

Disposition: Temporary Record. Retain 6 years after separation of an employee from the agency.

**Employee Flexible Benefits Plan Files (applications and correspondence)**

Disposition: Temporary Record. Retain 6 years after termination of participation in program.

**Records documenting the State Employee Injury Compensation Trust Fund (SEICTF) Claims**

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

**Employee Administrative Hearing Files**

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

**Police Officer's Standards Training (POST) Continuing Education Reports**

Disposition: Temporary Record. Retain 1 year after the audit for the fiscal year in which the records were superseded.

**MINORITY RECRUITMENT COMMITTEE MEETING MINUTES**

Disposition: PERMANENT RECORD.

**Administering Internal Operations: Managing Properties, Facilities, and Resources****Semiannual Inventory Lists**

Disposition: Retain in office (Code of Alabama 1975, Section 36-16-8[1]).

**Agency Copies of Transfer of State Property Forms (SD-1)**

Disposition: Temporary Record. Retain 1 year after audit.

**Property Inventory Cards and/or Computer Files**

Disposition: Temporary Record. Retain 1 year after for the fiscal year in which the items were

removed from inventory.

**Property Inventory Affidavits**

Disposition: Temporary Record. Retain 1 year after audit.

**Receipts of Responsibility for Property**

Disposition: Temporary Record. Retain until return of item to property manager.

**Records documenting the use, maintenance, ownership, insurance, and disposition of vehicles owned by the agency**

Disposition: Temporary Record. Retain 1 year after audit for the year in which the equipment is removed from the property inventory.

**Records documenting the lease or rental of office or warehouse space, real property, or boat stalls for the Department**

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

**Records documenting vehicle use/mileage**

Disposition: Temporary Record. Retain 1 year.

**Housekeeping Records**

Disposition: Temporary Record. Retain 1 year.

**Records documenting telephone systems**

Disposition: Temporary Record. Retain 1 year.

**Emergency Contact Listings**

Disposition: Temporary Record. Retain current listing.

**Security Records/Logs**

Disposition: Temporary Record. Retain 6 months after superseded.

# **Requirement and Recommendations for Implementing the Records Disposition Authority (RDA)**

## **Requirement**

Under the Code of Alabama 1975, Section 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Agency as stipulated in this document.

One condition of this authorization is that the Agency submit an annual Records Disposition Authority (RDA) Implementation Report on its activities, including documentation of records destruction, to the State Records Commission.

## **Recommendations**

In addition, the Agency should make every effort to establish and maintain a quality record-keeping program by conducting the following activities:

The Agency should designate a staff member in a managerial position as its records liaison/records manager, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.

Permanent records in the Agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.

Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis—for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the Open Meetings Act, audit requirements, or any legal notice or subpoena.

The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility.

Electronic mail contains permanent, temporary, or transitory record information. Although e-mail records can be printed out, filed, and retained according to the RDA's requirements, the office should preferably employ an electronic records management system capable of sorting e-mail into folders and archiving messages having long-term value.

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the Agency and inspect records destruction documentation. Agency records managers and/or the ADAH archivists are available to instruct the staff in RDA implementation and otherwise assist the Agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on October 26, 2016.

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Steve Murray, Chairman,  
State Records Commission

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Date

By signing below, the agency acknowledges receipt of the retention periods and requirements established by the records disposition authority.

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N. Gunter Guy, Jr., Commissioner  
Department of Conservation and Natural Resources

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Date