Formal appeals are more involved than informal appeals and tend to take longer to resolve. Also:

- They are submitted to the USDA National Appeals Division (NAD);
- A request for appeal to NAD will close all other appeal options – in other words, once you've submitted a formal appeal, you cannot submit an informal appeal;
- NAD will conduct a hearing where you will explain your position and present evidence;
- The hearing can take place over the telephone or before the NAD officer in your State, or you may simply request review of the documents in your file by the NAD officer; and
- Formal appeal request forms can be downloaded at the NAD Web site (www.nad.usda.gov) and should be submitted to your regional NAD office. Regional offices are listed at www.nad.usda.gov/contact_us.html.

For More Information

Visit the NRCS Appeals Web site at www.nrcs.usda.gov/programs/appeals or the NAD Web site at www.nad.usda.gov.

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PA - 2030 September 2009

Attachment B

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Natural Resources Conservation Service

Appeals

Helping People Help the Land

Attachment B

The Appeals Process: How Can It Help You?

What Is an Appeal?

An appeal is a request from a U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) program participant to the NRCS to review a technical determination or program decision.

What You May Appeal

You may appeal a determination or decision related to:

- Your participation in a program;
- Your compliance with program requirements;
- Payments or other program benefits;
- Contract or easement violations; and/or
- NRCS' application of law or policy.

What You Cannot Appeal

The determinations and decisions you may not appeal include those related to:

- Conservation program application rankings;
- Published soil surveys;
- Cost-share or payment amounts set by contract;
- Soils lists for highly erodible land conservation compliance;
- Land appraisals;
- Mathematical or science-based formulas;
- Decisions issued by another Federal or State agency; and
- Decisions made expressly final by statute or regulation.

How to File an Appeal

You must submit your appeal *in writing* to your State Conservationist within 30 calendar days of receiving the decision. The address can be found in your local phonebook or at www.nrcs.usda.gov.

Your appeal must include:

- Your name and address;
- A summary of the decision;
- A copy of the decision; and
- Why you disagree with it.

Types of Appeals

I*nformal appeals* are reviewed internally within NRCS or, at the participant's request (for certain programs), by the local USDA Farm Service Agency County Committee. Also:

- They are typically resolved faster than a formal appeal; and
- If an informal appeal is not resolved to your satisfaction, you may still submit a formal appeal.