FARM BILL DETERMINATION APPEALS PROCESS
for Preliminary Technical Determinations

Preliminary (new) technical determinations become final within 30 days unless you request, in writing, either of the following options:

1. You may request that the designated conservationist reconsider this determination by filing a written request no later than 30 calendar days after you receive this notice in accordance with the NRCS’s appeal procedures found at 7 CFR Part 614. If you request reconsideration, you have the right to a field visit, office visit, or other designated location meeting site for an informal review with the decision maker. During the review you or your representative may provide additional information and discuss the facts relating to the preliminary technical determination. If you choose to seek reconsideration, you may still appeal the reconsidered determination once it becomes final to the FSA county committee (COC) or the National Appeals Division (NAD). To request reconsideration, write to the designated conservationist at the following address and explain why you believe this determination is erroneous.

   Karen Dudley
   Resource Soil Scientist
   USDA-NRCS
   The Concord Center, Box 211
   10 Ferry St
   Telephone: 603 223 6026
   Email: karen.dudley@usda.gov

2. Mediation is available as part of NRCS’s informal appeal process. You may have to pay all or part of the cost of mediation. When you request mediation, the timeframe in which you may file an appeal is suspended. When mediation closes, the timeframe resumes, you will have the balance of the days remaining in that period to file an appeal. To request mediation, you must submit your written request no later than 30 calendar days after you receive this notice. To request mediation, write to the NH Agricultural Mediation Program at the following address and provide a copy of your request for mediation to the NRCS designated conservationist.

   New Hampshire Agricultural Mediation Program
   c/o NH Dept of Agriculture
   ATTN: Agriculture Mediation Program Coordinator
   PO Box 2042
   Concord, NH 03302-2042
   Website: www.nhamp.org

   Telephone: 603 685 4780 or 800 511 2213
   Email: info@emcenter.org

If you do not exercise one of the preceding options within 30 days of the receipt of the notification, this shall become the final technical determination with respect to this matter in accordance with the regulations at 7 CFR Part 780 and 7 CFR Part 11. You may formally appeal the final technical determination within 30 days of it becoming final, and the following is provided as notification of your appeal and mediation rights under the Department of Agriculture (USDA) Administrative Appeals procedures, 7 CFR Parts 614 and 11. 2.
1. You may appeal to the Farm Service Agency (FSA) County Committee at:

New Hampshire FSA State Office
James C. Cleveland Federal Building
53 Pleasant St, Room 1601
Concord, NH 03301-3958
Telephone: 603 222 7941

Note: Informal appeals to the FSA County or State Committee must, in accordance with the FSA appeals regulation at 7 CFR Section 780.11, include a review of the merits of the NRCS decision.

2. You may request an appeal from the Assistant Director, East Regional Office, National Appeals Division at:

National Appeals Division – Eastern Regional Office
8909 Purdue Road Suite 240
PO Box 68806
Indianapolis, IN 46268
Telephone: 1-800-541-0457
(317) 875-9648
TTY 1-800-791-3222
Fax: (317) 875-9674

If you choose to request reconsideration or mediation, you must do so, in writing, no later than 30 days from the date that you received this notification. Your request must include the following information:

- A copy of this notification and decision.
- The reason why the NRCS decision is incorrect. (Note: You must indicate why the NRCS decision is erroneous to you as a matter of law and regulation).

You must provide a copy of any request for appeal or mediation to the NRCS NH State Office at:

USDA-NRCS NH State Office
Attn: Donald Keirstead, State Resource Conservationist
273 Locust Street, Suite 2D
Dover, NH 03820
Telephone: 603 686 9931 x 128
Email: donald.keirstead@usda.gov