

Molokai, Hawaii  
 Aberdeen, Idaho  
 Manhattan, Kansas  
 Quicksand, Kentucky  
 East Lansing, Michigan  
 Coffeerville, Mississippi  
 Elsberry, Missouri  
 Bridger, Montana  
 Cape May Courthouse, New Jersey  
 Big Flats, New York  
 Corvallis, Oregon  
 Knox City, Texas  
 Pullman, Washington

(2) Operated by cooperating agencies with financial and technical assistance from NRCS:

Los Lunas, New Mexico (New Mexico State University)  
 Bismarck, North Dakota (North Dakota Association of Soil Conservation Districts)  
 Meeker, Colorado (White River and Douglas Creek Soil Conservation Districts with partial funding from NRCS)

(3) Operated by cooperating agencies with technical assistance from NRCS:

Palmer, Alaska (State of Alaska)  
 Kingsville, Texas (Caesar Kleberg Wildlife Research Institute, Texas Agricultural and Industrial University, and South Texas Association of Conservation Districts)  
 Nacogdoches, Texas (Stephen F. Austin University and the East Texas Association of Conservation Districts)

## PART 614—NRCS APPEAL PROCEDURES

Sec.

- 614.1 General.
- 614.2 Definitions.
- 614.3 Decisions subject to informal appeal procedures.
- 614.4 Decisions not subject to appeal.
- 614.5 Reservation of authority.
- 614.6 Agency records and decision notices.
- 614.7 Preliminary technical determinations.
- 614.8 Final technical determinations.
- 614.9 Program decisions.
- 614.10 Appeals before the Farm Service Agency county committee.
- 614.11 Mediation.
- 614.12 Transcripts.
- 614.13 Appealability review.
- 614.14 Computation of time.
- 614.15 Implementation of final agency decisions.
- 614.16 Participation of third parties in NRCS proceedings.
- 614.17 Judicial review.

AUTHORITY: 5 U.S.C. 301; 7 U.S.C. 6932 and 6995; and 16 U.S.C. 3822(a).

SOURCE: 71 FR 28245, May 16, 2006 unless otherwise noted.

### § 614.1 General.

This part sets forth the informal appeal procedures under which a participant may appeal adverse technical determinations or program decisions made by officials of the Natural Resources Conservation Service (NRCS), an agency under the United States Department of Agriculture (USDA). These regulations reflect NRCS policy to resolve at the agency level, to the greatest extent possible, disputes arising from adverse technical determinations and program decisions made by NRCS. Once a decision is rendered final by NRCS, participants may appeal to the National Appeals Division (NAD) as provided for under 7 CFR part 11, or the FSA county committee pursuant to 7 CFR part 780 for decisions rendered under Title XII of the Food Security Act of 1985, as amended, 16 U.S.C. 3801 *et seq.* (Title XII).

### § 614.2 Definitions.

The following definitions are applicable for the purposes of this part:

(a) *Agency* means NRCS and its personnel.

(b) *Agency record* means all documents and materials, including documents submitted by the participant and those generated by NRCS, upon which the agency bases its program decision or technical determination. NRCS maintains the agency record and will, upon request, make available a copy of the agency record to the participant(s) involved in the dispute.

(c) *Appeal* means a written request by a participant asking for review (including mediation) of an adverse NRCS technical determination or program decision under this part. An appeal must set out the reason(s) for appeal and include any supporting documentation. An appeal is considered filed when it is received by the appropriate NRCS official as indicated in the decision notice.

(d) *Chief* means the Chief of NRCS or his or her designee.

(e) *Commodity Credit Corporation (CCC)* means a wholly owned Government corporation within USDA.