



Natural Resource Conservation Service

**BY CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Date

Farm Number:            Contract Number:            Program: EQIP

Dear,

This letter is in regard to your **XXXX** Environmental Quality Incentive Program (EQIP) contract # **XXXX**. The contract was initiated with your signature on form CCC-1200/1202 dated (enter date) for Farm **XXX** Tract **XXX**.

On the attached contract review of your EQIP contract we found no indication that the required corrective action has been taken. Therefore, NRCS is hereby notifying you that, in accordance with the program, we will terminate EQIP contract **XXXX**, effective 60 days from the date of this letter. Recovery of cost may be assessed.

This letter serves as the NRCS Preliminary Technical Determination, in accordance with the agency Appeals Regulation, 7CFR 614 and the EQIP regulation at 7 CFR 1466.30. This determination will become final 60 calendar days from the date that you receive this letter, unless you request one of the following:

- A field review for the purposes of reconsideration of the facts. This review will be conducted by NRCS at your request to further clarify the basis for our preliminary technical determination, answer any questions you have concerning the determination and to gather any additional information from you concerning the preliminary determination.
- Reconsideration by the State Conservationist. This review will be conducted by the NRCS State Conservationist or his designee at your request to further clarify both the factual and legal basis for the technical determination, provide you with an opportunity to discuss further options, including any waivers provided by policy and regulation, and to gather any additional information from you concerning your farming operation and the EQIP contract.
- Request mediation in an attempt to settle your concerns with the preliminary technical determination. To request mediation, write to NRCS Assistant State Conservationist Programs, at P.O. Box 311, Auburn, AL 36831.
- Request Expedited Finality in writing. By requesting this option, the preliminary technical determination will become final upon your written request and a Final Technical Determination will be issued with additional appeal rights.

If you choose to use mediation, NRCS will pay up to one half of the costs that are appropriate and reasonable associated with securing the services of a trained mediator, unless services are provided on a voluntary basis. The NRCS will have final discretion over what is considered appropriate and reasonable.

A final determination will be issued within 30 days following the field visit or reconsideration by the State Conservationist, if one is requested, or within 30 days following the completion of mediation, not to exceed 60 days total.

If you take no further action within the specified 60 calendar day timeframe, this preliminary technical determination will become a Final NRCS technical determination, at which time you may exercise the following appeal rights:

- Informal appeal to **either** the FSA County Committee (in the county where the decision was rendered) **or** the NRCS State Conservationist, **but not both**.
- Mediation (if this option has not already been previously used).

Lana Harms ([lane.harms@agi.alabama.gov](mailto:lane.harms@agi.alabama.gov))  
Alabama Agricultural Mediation Program  
Alabama Department of Agriculture and Industries  
P. O. Box 3336  
Montgomery, AL 36109-0336  
334 240-7249

- Appeal to the National Appeals Division, (NAD) at the following address:

National Appeals Division, Southern Regional Office  
Post Office Box 1508  
Cordova, Tennessee 38088  
Phone: 1-800-552-5377  
(901) 544-0359  
TTY: 1-800-627-8332  
FAX: (901) 544-0363

If you have any questions regarding this matter, please contact me at XXX.

Sincerely,

District Conservationist

cc:

Steve Musser, ASTC- Programs, NRCS, Auburn, Alabama  
FSA CED's,

**United States Department of Agriculture**



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