Administrative Appeal Process for Approved Jurisdictional Determinations

- District issues approved Jurisdictional Determination (JD) to applicant/landowner with NAP.
  - Approved JD valid for 5 years.
  - District makes new approved JD.
  - Does applicant/landowner accept approved JD?
    - Yes: Applicant/landowner provides new information?
      - Yes: Applicant decides to appeal approved JD. Applicant submits RFA to division engineer within 60 days of date of NAP.
        - Corps reviews RFA and notifies appellant within 30 days of receipt.
          - Is RFA acceptable?
            - Yes: Optional JD Appeals Meeting and/or site investigation.
              - RO reviews record and the division engineer (or designee) renders a decision on the merits of the appeal within 90 days of receipt of an acceptable RFA.
                - Does the appeal have merit?
                  - Yes: District makes new approved JD.
                    - Max. 90 days
                  - No: District's decision is upheld; appeal process completed.
                    - Max. 60 days
          - No: To continue with appeal process, appellant must revise RFA. See Appendix D.
            - Max. 30 days
    - No: Applicant/landowner provides new information?
      - Yes: Division engineer or designee remands decision to district, with specific instructions, for reconsideration; appeal process completed.
      - No: Does the appeal have merit?
        - Yes: District engineer or designee remands decision to district, with specific instructions, for reconsideration; appeal process completed.
        - No: District's decision is upheld; appeal process completed.

Appendix C