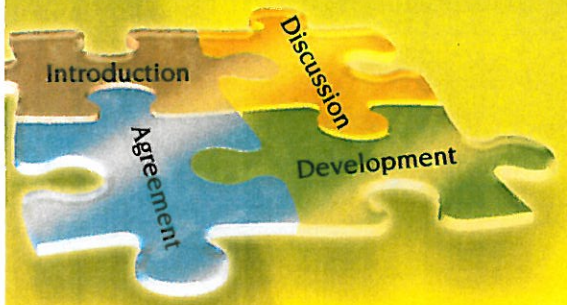

Confidentiality

Mediation is confidential; only the final settlement agreement becomes a part of the official record.

Settlement Agreements

All settlement agreements are signed by authorized parties. Once a dispute is finalized by a signed settlement agreement, participants waive all appeal rights to that issue.

How To Request Mediation

Write a letter to your State Conservationist to request mediation. Addresses can be found in your local phone book or at: www.nrcs.usda.gov

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Mediation

Mediation: How Can It Help You?

What is Mediation?

The Natural Resources Conservation Service (NRCS) of the U.S. Department of Agriculture offers mediation for individuals with a dispute, such as landowners who have been denied USDA program benefits due to an NRCS technical determination or program decision.

Mediation is a voluntary, fair and efficient process for resolving disputes in which a mediator helps both parties create a mutually agreed-upon resolution. Ideally, this cooperative approach results in win-win solutions and builds a lasting understanding and respect between participants.

Good Faith Participation

By entering into mediation, both parties agree to participate in the process in "good faith"—with honesty, openness and respect for the other. NRCS demonstrates "good faith" by:

- Identifying and exploring all available resolution options;
- Making pertinent NRCS records available to the participant for review and/or discussion;
- Ensuring program participation is consistent with legal requirements and applicable program policies;
- Ensuring resolutions are mutually agreed-to and signed by all affected parties; and
- Responding to and acting on dispute resolution proposals in a timely manner.

How Does It Work?

Mediation involves four stages, which may take as little as an hour and often less than a day:

- Introduction
- Discussion of issue(s)
- Development of options
- Agreement (if reached) signed in writing

A neutral mediator, either accredited or possessing core knowledge and training, facilitates all mediations with a designated NRCS representative and the individual with a dispute. The designated NRCS representative is knowledgeable about the technical determination or program dispute and either will have the authority to commit the Agency to a settlement agreement or will be a liaison to an authorized NRCS decisionmaker.