

# 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.



### **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](http://www.nrcs.usda.gov)

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United States Department of Agriculture  
Natural Resources Conservation Service

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