

## **WAC - General Dispute Resolution**

For the purpose of this Program it is encouraged that any conflicts be settled at the lowest level possible. This policy is to set forth a procedure by which disputes arising from the Watershed Agricultural Council Programs other than those arising in connection with easements may be submitted to the Watershed Agricultural Council for resolution.

### **I. Dispute Summary**

1. When a party or parties request the review and resolution of a dispute by the Watershed Agricultural Council, the party(ies) shall prepare written summaries of the dispute to include supporting documentation as necessary.
2. The parties to the dispute will review and sign the Dispute Summaries prior to the dispute being presented to the Watershed Agricultural Council.
3. The WAC Dispute Summaries will be prepared and filed by the appropriate Program Manager or contracting officer
4. When Dispute Summaries have been signed by all parties involved, the Summaries will be presented to the WAC Executive Director for consideration.

### **II. Watershed Agricultural Council Review**

1. The WAC Executive Director shall, in a timely manner, attempt to resolve the dispute. In the event that any party(ies) to the dispute do not concur with the resolution as set forth by the WAC Executive Director, the party(ies) may request, within 30 days, that the dispute be referred to the WAC Executive Committee for further review. The WAC Executive Director will contact the party(ies) to the dispute to set a meeting for additional fact finding as needed. Rulings made by the WAC Executive Director shall be documented in writing and shall be maintained as a permanent part of the Landowner's and/or Producer's project record.
2. In the event a dispute is not resolved by the WAC Executive Director, the dispute will be referred to the WAC Executive Committee within 30 days for review and action. The Dispute Summary and additional information provided by the Executive Director will be presented to the WAC Executive Committee. The party(ies) to the dispute may request or be requested to be present when the dispute is addressed by the WAC Executive Committee.

1<sup>st</sup> Reading: March 28, 1995  
2<sup>nd</sup> Reading as Amended: May 23, 1995  
Approved: December 19, 1995  
1<sup>st</sup> Reading as Amended: May 24, 2005  
Approved: July 26, 2005

1<sup>st</sup> Reading as Amended: August 25, 2009  
2<sup>nd</sup> Reading as Amended: September 22, 2009

3. The WAC Executive Committee shall, in a timely manner, resolve the dispute or refer the dispute to the full Watershed Agricultural Council for review and action. In the event that any party(ies) to the dispute do not concur with the resolution as set forth by the WAC Executive Committee, the party(ies) may request, within 30 days, that the dispute be referred to the full Watershed Agricultural Council for final review. Rulings made by the WAC Executive Committee shall be documented in writing and maintained as a permanent part of the Landowner's and/or Producer's project record.
4. The Watershed Agricultural Council shall, in a timely manner, make a ruling on the dispute. The WAC determination shall be documented in writing and maintained as a permanent part of the Landowner's and/or Producer's project record.
5. The decision of the Watershed Agricultural Council is final.

### Staff Guidelines

1. Disputes should be presented to the WAC Executive Committee within 30 days of both parties agreeing that an impasse has been reached.
2. Dispute Summaries should include but are not limited to the following information:
  - a. Name, address and phone numbers to all parties of the dispute.
  - b. Short summary narrative of the conditions and details of the dispute.
  - c. Summary of action taken to date.
  - d. Additional support documentation, as needed.
3. The Watershed Agricultural Council shall make every effort to resolve disputes within 45 days.

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