



ATTACHMENT A: MERGER ROLES AND RESPONSIBILITIES

The Merger Process relies on individual participants to represent their agency/organization in a collaborative decision-making environment. The Merger Team participants are expected to enter the discussion of concurrence with a solution-oriented mindset that involves proactive sharing and examination of information and early identification and resolution of issues to achieve sound decision-making, thus supporting all relevant regulatory/resource interests. Key roles and responsibilities are outlined as follows.

NCDOT Roles

The NCDOT Project Team is made up of the NCDOT Project Manager, its consultant(s), and NCDOT's technical experts. The NCDOT Project Team will:

- Develop and maintain the [Merger Plan](#).
- Attend all relevant Merger Team meetings.
- Be introduced at the beginning of each Merger meeting.
- Support the Merger Team with information about the project to assist in reaching concurrence.

See below for the NCDOT Project Manager's roles.

Merger Team

The Merger Team is comprised of representatives of the MOU Signatory Agencies and Partnering agencies, as denoted in the [MOU](#). Merger Team Members are expected to provide a concurrence decision for all concurrence points.

Merger Team Chair

The USACE representative for the project is the Merger Team Chair. The Chair will guide the concurrence point meeting by:

- Coordinating process-related needs prior to the scheduled concurrence date
- Calling the meeting to order and stating the purpose of the meeting.
- Initiating introductions.
- Ensuring the meeting stays on course and refocusing discussion when appropriate.
- Polling other agencies for concurrence.
- Ensuring there is a discussion on next steps and action items.
- Adjourning the meeting.

NCDOT Project Manager

The NCDOT Project Manager will be clearly identified in all communications. The NCDOT Project Manager may indicate a designee (another NCDOT staff member or a consultant) who will perform project manager responsibilities on their behalf. The NCDOT Project Manager may change over the course of the project.

The NCDOT Project Manager, in coordination with the NCDOT environmental policy lead will:

- Coordinate the establishment of the Merger Team, in collaboration with the Merger MOU Signatory Agencies.



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- Coordinate to implement the Merger Plan and will distribute materials timely in advance of concurrence points (i.e., at least two weeks ahead of Merger Meetings).
- Work with the Lead Federal Agency to coordinate with each agency representative after the circulation of the packet regarding concerns, questions, abstentions, or potential for non-concurrence.
- Announce to the Merger Team that concurrence has been achieved and distribute the signed concurrence form, with assistance from NCDOT EPU if necessary.
- Coordinate with NCDOT Environmental Policy Unit (EPU) in administering the [Conflict Resolution](#) process.

Merger Team Member

Merger Team Members include agencies/organizations (including NCDOT) with resources or jurisdiction within the geographic area of the project. Merger Team Members will:

- Work in a collaborative, problem-solving spirit.
- Assist in satisfying all applicable federal and state regulations and laws.
- Represent only their own agency and will make decisions based on the mission and authority of their agency.
- May provide their written concurrence, abstain (with the exception of the Merger MOU Signatory Agencies), or choose to not concur. For non-concurrence see [Conflict Resolution Guidance](#).
- Review the Merger Packet and provide ample notice (three working days minimum) to the Merger Team Signatory Agencies and pertinent members of the Merger Team when requesting any additional information for decision-making and/or if concurrence is questionable prior to the scheduled concurrence date. When requests for additional information are made, the Merger MOU Signatories will determine the most effective approach for resolving the request in consideration of the anticipated concurrence date and Merger Plan.
- When an agency or organization is not able to concur, they shall follow the [Conflict Resolution Process](#).
- Notify the NCDOT EPU of any changes in their agency's Merger Team membership.
- Notify the Merger Team via email when participation is no longer warranted for a specific concurrence point(s).
- Refrain from revisiting concurrence point decisions unless new, substantial information is brought to light. A request to revisit a previous concurrence point will be provided by email to the Merger MOU signatories and will include supporting documentation
- Notify the Merger Team Chair (USACE) within three days of the scheduled concurrence date if they are unable to participate. The Team Member should submit written comments and/or designate another agency representative with decision-making authority in their stead. Non-attendance or non-response by a particular Team Member is not a valid reason for non-concurrence.
- Provide a concurrence decision for all concurrence points.

Facilitator (optional)

A Facilitator is a neutral party who provides structure and process during meetings so the Merger Team may function effectively and make decisions. While a Facilitator is not necessary for all projects, one should be considered for large, complex, or controversial projects.



Merger Management Team (MMT)

The MMT is comprised of representatives from NCDOT, FHWA, USACE, and NCDEQ. The MMT will:

- Be responsible for addressing program-specific questions (e.g., methodology, regulatory changes, team performance, and program guidance).
- Periodically coordinate with their staff and partnering agencies to assess issues arising from Merger meetings and determine if programmatic changes are necessary.
- Review project-specific challenges that arise from Merger meetings.
- Participate in the [Conflict Resolution Process](#).
- Be led by an NCDOT EPU representative (the MMT Chairperson).

MMT Chairperson

The MMT Chairperson is the NCDOT Environmental Policy Unit Head. The MMT Chairperson will:

- Support the Merger Review Board for the [Conflict Resolution Process](#).
- Coordinate with the MMT to establish an agenda for regular meetings.
- Lead the coordination effort to train staff and consultants on the Merger Process.

Merger Review Board

The Merger Review Board is comprised of representatives from NCDOT, FHWA, USACE, and NCDEQ. If a conflict arises on a project in which an agency cannot concur and Informal Conflict Resolution is not successful, the Chairperson of the MMT will initiate the formal Conflict Resolution Process, involving the Merger Review Board. The Board will:

- Meet to resolve project-specific Merger Team conflicts as detailed in the [Conflict Resolution Process](#).
- Work in a collaborative, problem-solving spirit.
- Decide on conflicts brought to the board in a timely manner.