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# PROJECT COMMITMENTS

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**US 321 Improvements Project  
From SR 1500 (Blackberry Road) to US 221  
Blowing Rock  
Caldwell and Watauga Counties  
State Project No. 6.739001T  
WBS 34402.1.1  
TIP Project R-2237C**

In addition to the Section 404 Conditions, Regional Conditions, State Consistency Conditions, the NCDOT's Guidelines for Best Management Practices for the Protection of Surface Waters, General Certification Conditions, and Section 401 Conditions of Certification, the following special commitments were agreed to by the NCDOT. These include, but are not limited to, those commitments stipulated in the Section 106 Memorandum of Agreement between the NCDOT, US Army Corps of Engineers, and the State Historic Preservation Office and the Memorandum of Understanding between the NCDOT and the Town of Blowing Rock:

## **Roadway Design**

Plan Review. NCDOT will provide preliminary roadway design plans at approximately 25 percent, 50 percent, and 80 percent of completion to the Blowing Rock Town Board and the State Historic Preservation Officer (SHPO) for review and comment. A set at each of these stages of completion also will be placed in the Blowing Rock Town Library for public review and comment

Guardrail. Where guardrail is required, the NCDOT will install approved wooden-faced guardrail where it can be installed and meet safety requirements. If, during final design, locations are identified where wooden-faced guardrail cannot be installed, or where, in order to meet safety requirements, installation would cause an undesirable increase in project right of way to provide necessary roadside clear areas, the NCDOT will coordinate with the Town (and the SHPO within the Green Park Historic District) to find an acceptable guardrail alternative prior to finalizing the plans.

Lane Width. The width of lanes within the limits of the Green Park Historic District will be limited to 11-feet; 12-foot lanes will be constructed elsewhere along the project.

Goforth Road. The NCDOT will terminate Goforth Road just east of US 321 rather than rebuild its intersection with US 321.

Median. The NCDOT will not construct a median within the limits of the Green Park Historic District. The NCDOT will not construct a median between Green Hill Road and US 321 Business in order to narrow the footprint of the proposed improvement.

Sidewalks. The NCDOT will provide a sidewalk, five feet in width, on the east side of US 321 from Green Hill Road to US 321 Business (which includes the part of the project within the historic district) so that the west side berm may be used for more concentrated landscaping. The

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NCDOT will fund and construct sidewalks on both sides of US 321 from US 321 Business to Possum Hollow Road. Pedestrian crossings (crosswalks and/or pedestrian signals) may be provided at signalized intersections.

Emergency Vehicle Access. The NCDOT will rebuild the emergency vehicle access at The Pines (a residential subdivision), or replace it with something that will serve the same function. The goal is to insure that emergency vehicles can access the subdivision directly from US 321 since the neighborhood streets and turning radii are too narrow for emergency vehicles to navigate.

Fire/EMS Crossover. The NCDOT will provide an emergency crossover (with pavers that will allow grass to grow through them) at the planned Fire/EMS station (parcel no. 1504 on the Corridor Public Hearing Map). This crossover will permit volunteer fire fighters to turn left into the station and fire trucks to turn left out of the station. No signal of any kind will be provided at this location, but it will be signed for emergency use only.

Retaining Wall to Reduce Wetland Impact. A retaining wall will be used to reduce the 0.07-acre impact on wetlands associated with jurisdictional crossing 2. The retaining wall will be included in the area of preliminary design stations 679+00 to 681+00. At the other locations where jurisdictional areas will be affected, the design depicted in the EIS minimizes impacts.

Highway Lighting. The NCDOT will not install highway lighting within the limits of the Green Park Historic District. If the Town wants highway lighting outside of the Green Park Historic District, the Town will purchase, install, and maintain the roadway lighting equipment of its choice. The NCDOT will reimburse the Town for the cost of said roadway lights. The NCDOT will coordinate with the Town to ensure American Association of State Highway and Transportation Officials' (AASHTO) lighting requirements are met. The NCDOT's Utility Agent will handle any right of way encroachment associated with Town lighting. If right of way and berm widths are not wide enough to accommodate poles outside the clear zone, breakaway poles will be required. Any breakaway or non-breakaway light poles will be placed behind the sidewalk.

Stone Walls. The NCDOT will replace all existing stone walls within the Town of Blowing Rock's limits (including the Green Park Historic District) removed by the undertaking with new in-kind stone walls. All other retaining walls along the undertaking within the town limits will be formed concrete walls with simulated masonry surface treatment. The surface treatment will be designed to resemble the existing stone walls in the historic district (e.g., the low wall in front of the Green Park Inn). The appearance of the surface treatment will be coordinated with the Town, and a sample of the surface treatment will be fabricated for the Town's and the SHPO's comment and the NCDOT's approval prior to permanent installation on the project.

Blowing Rock Country Club Golf Course. The NCDOT will construct a retaining wall on the east side of US 321 at the Blowing Rock Country Club (Hole No. 4) in order to minimize impacts to the course.

Tree Preservation. The NCDOT will make a special effort to preserve trees of particular value identified by the Town that are outside the clear recovery area. Any trees within 14 feet of the face of curb would need to meet the NCDOT guidelines for plantings before they could be preserved.

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## **Traffic Engineering Branch and Traffic Control Unit**

Plan Review. NCDOT will provide preliminary traffic control plans, preliminary pavement marking plans, and preliminary signing plans to the Blowing Rock Town Board and the SHPO for review and comment. A set will also be placed in the Blowing Rock Town Library for public review and comment.

Signal Poles. NCDOT will use standard mast-arm signal poles for traffic signals, including the one(s) proposed in the Green Park Historic District. If the Town of Blowing Rock chooses a decorative mast arm pole that exceeds the cost of the NCDOT-standard mast-arm pole, then the Town will pay the incremental cost difference.

Coordinated Signal System. The NCDOT will design and install a coordinated traffic signal system as part of the undertaking.

Fog Safety Study. The NCDOT will evaluate flashing warning lights, pavement markers, rumble strips and/or stripes, delineation, warning signs, and/or lighting that would be appropriate to increase safety and improve driver behavior during fog occurrences. The plans submitted by the NCDOT to the SHPO and the Town for review will show the results of the NCDOT's evaluation and the resulting recommendations.

Signs. The Town will identify locations where proposed signs may create an aesthetic concern. The NCDOT will coordinate with the Town to establish the number, size, and placement of signs to the degree that the *Manual on Uniform Traffic Control Devices* allows.

Restriction of Traffic Detours from US 321 to US 321 Business (Main Street). If a decision is made to restrict traffic detours on this stretch of Main Street, it must be carefully articulated in the contractor documents (bid package). The NCDOT will discuss this matter with the Town of Blowing Rock during final design development to decide on appropriate restrictions to include.

Speed Limit. The speed limit within the Green Park Historic District will be posted 35 mph after construction of the Preferred Alternative.

## **Roadside Environmental Unit**

Plan Review. NCDOT will provide preliminary post-construction landscape design plans and preliminary sedimentation and erosion control plans to the Blowing Rock Town Board and the SHPO for review and comment. A set of each will also be placed in the Blowing Rock Town Library for public review and comment

Post Construction Landscape Plan. The NCDOT will design and implement a post-construction landscape plan that will include the following elements:

- A median on US 321 from US 321 Business to the project terminus at Possum Hollow Road. The median will either be vegetated or decorative concrete (the Town's choice). If the median is vegetated, it will be planted with vegetation of the NCDOT's choosing that is both cold-hardy and salt-hardy where safety conditions allow. If the median is to be decorative concrete, then the aesthetic details will be coordinated with the Town, and a sample will be fabricated for the Town's review and comment and the NCDOT's approval prior to permanent installation on the project.

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- Decorative pedestrian lights (i.e., "coach" lights), the style of which is to be agreed to by the Town, the SHPO, and the NCDOT, at selected locations within the Town limits. All decorative pedestrian light locations within the NCDOT right of way (e.g., in areas of more concentrated landscaping) must be approved the Special Design Section of the NCDOT's Roadway Design Unit. The NCDOT will pay for the lighting equipment and installation, and the NCDOT will install the lights as part of the landscape plan implementation. The NCDOT may choose to do a two-phase post-construction landscape implementation. The first phase would be the hardscape elements, which would include pedestrian lights, to be overseen by the Resident Engineer. The second phase would be the landscape design and development, which would be overseen by the Roadside Environmental Unit. The Town will assume ownership of the lights and will pay for utility (electricity) costs.
  - Broader areas of more concentrated landscaping where right of way, roadway elements, terrain, and safety conditions allow.
  - Plantings planned in accordance with the NCDOT's *Guidelines for Planting within Highway Right-of-Way*.
  - Design and construction of a park on Business/Main Street at US 321 (near Shoppes on the Parkway). The park construction will be part of the landscape contract, which will be awarded to a landscape contractor after the roadway construction contract is complete. The NCDOT will convey its interest in this property to the Town, and the Town will assume maintenance for the park.
  - The blueberry bushes near Rock Road will be relocated or replaced if they are in the right of way of the Preferred Alternative.

### **Utilities Coordination Unit**

Utilities. The NCDOT will place existing overhead utility lines (electrical, telephone, and cable television) underground between Green Hill Road and Possum Hollow Road.

### **Division 11**

Unanticipated Discovery of Archaeological or Architectural Resources. In accordance with Title 36 of the *Code of Federal Regulations*, Section 800.11(a), and prior to initiation of construction activities, the NCDOT will ensure preparation of a plan of action should archaeological or architectural resources be inadvertently or accidentally discovered during the construction phase of the project. The plan will provide for an assessment of the significance of the discovery in consultation amongst the NCDOT, the USACE, and the SHPO. Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70.

Blasting. The NCDOT and the contractor will limit blasting to specific times. Those times will be posted on the aforementioned project website. In addition, blasting activities will be announced to the media as to be outlined in a public information plan (PIP).

Dust Minimization. The NCDOT and the contractor will utilize a truck to periodically spray water on dry, exposed soil to control dust to the greatest extent possible.

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Reseeding Exposed Dirt. In accordance with the NCDOT's Best Management Practices for Protection of Surface Waters, the NCDOT and the contractor will seed exposed soil with grass in order to control run-off, erosion, and dust.

Covered Truck Beds. The NCDOT will require all construction trucks traveling at speeds greater than 25 mph to cover their truck beds in order to reduce the amount of dust and debris.

Staging Areas. The NCDOT will not permit staging areas within the Green Park Historic District. The NCDOT may permit overnight parking of equipment and storage of materials, associated with current construction needs, within the construction right-of-way limits along any part of the project corridor.

Waste Sites, Borrow Pits, and Construction Offices. The NCDOT will not permit waste deposits, borrow pits, or construction offices within the Green Park Historic District.

Pre-Construction Surveys. The NCDOT will conduct pre-construction surveys of all structures adjacent to US 321 within the historic district to record a "before" condition so that any construction-related damage can be accurately identified.

Contact with Resident Engineer. The NCDOT's construction project manager will be the Resident Engineer. He or she is the only individual with the authority to stop construction. Citizens may directly contact the Resident Engineer (and assistants) with questions or concerns so that the Resident Engineer can immediately address any project concerns.

## **Construction Unit**

"Smart Zone" Techniques. The NCDOT will use "Smart Zone" techniques in the maintenance of traffic during construction. These techniques may include methods such as advance notification of delays, lane closures, real time monitoring, and the use of Digital Message Systems. In addition, the NCDOT will maintain a website that will provide information on anticipated delays based on scheduled construction activities.

Public Information Plan. The NCDOT's Construction Unit IMPACT Public Information Program will work with the Town of Blowing Rock to develop an appropriate PIP.

"Kick-Off" Meeting. As part of the PIP, the NCDOT will hold a pre-construction "kick-off" meeting to introduce the contractor and the construction process to area residents.

Project Website. The NCDOT will develop, maintain, and consistently update a project website to provide current information about the schedule and development of the project, project progress, project contact information, and notification of any anticipated delays based on scheduled construction activities.

## **Geotechnical Unit**

Development of Vibration Monitoring Plan. The NCDOT will develop a vibration monitoring plan for the project, to include on-site research during final design as well as monitoring during construction. The recommendations of the plan will be provided to the USACE, the SHPO, the Town, and other parties concurring with the MOA for their comments prior to adoption of the plan.

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Baseline Studies. On-site research, done prior to construction, will measure existing vibration exposure, determine sensitivity of nearby structures, and assign thresholds accordingly.

Vibration Monitoring. Vibration monitoring will be conducted on key structures within the historic district (to be recommended in the aforementioned vibration monitoring plan). When a reading exceeds an established threshold, an alarm will sound and anyone who hears it, e.g., property owners/staff or contractor personnel, will immediately contact the NCDOT's Resident Engineer.

## **Project Development and Environmental Analysis Branch**

### ***Historic Resources Documentation***

Green Park Historic District. Prior to the initiation of construction activities, the NCDOT will record the existing conditions of the Green Park Historic District and its surroundings in accordance with the Historic Structures and Landscape Recordation Plan contained in the Appendix of the Memorandum of Agreement for the Preferred Alternative. This will include a video to document US 321 and the surrounding landscape and structures within the historic district, as well as keying the locations of the filming to an aerial photograph of the historic district adjacent to US 321.

Individual Structures. Prior to the initiation of construction activities, the NCDOT will record the existing conditions of the following structures and their immediate surroundings in accordance with the Historic Structures and Landscape Recordation Plan. The structures are: the Green Park Inn, Cottage No. 21 (as referred to in the 1994 National Register Nomination), and the A.G. Jonas Cottage.

Existing Stone Walls. Prior to the initiation of construction activities, the NCDOT will record the existing stone walls along US 321 within the historic district. The NCDOT will replace all existing stone walls within the town limits removed by the project with new in-kind stone walls.

Blowing Rock Country Club Golf Course Hole Number 4. Prior to the initiation of construction activities, the NCDOT will record the existing conditions of hole number 4 in accordance with the Historic Structures and Landscape Recordation Plan.

### ***Other Mitigation at Individual Properties***

Green Park Inn. The NCDOT, in consultation with SHPO and the property owners, will develop measures to reduce the Adverse Effect of the undertaking on the Green Park Inn. These measures may include, but are not limited to the following:

- Replacement of the existing stone walls;
- Replacement of the existing sidewalk;
- Reconfiguration of the existing parking lot;
- Sound abatement/buffering; and/or
- Landscaping.

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A.G. Jonas Cottage. The NCDOT, in consultation with SHPO and the property owners, will develop measures to reduce the Adverse Effect of the undertaking on the A.G. Jonas Cottage. These measures may include, but are not limited to the following:

- Construction of a retaining wall;
- Construction of a privacy fence;
- Sound abatement/buffering; and/or
- Landscaping.

Cottage No.21 (as referred to in the 1994 National Register Nomination). In the event that this property is not determined to be a relocation in the final design, the NCDOT, in consultation with the SHPO, and the property owners, will develop measures to reduce the adverse effect of the undertaking on Cottage No.21. These measures may include, but are not limited to the following:

- Providing alternative access to the property;
- Construction of a retaining wall; and/or
- Landscaping.

Bollinger-Hartley House. The NCDOT will construct a retaining wall at the Bollinger-Hartley House to minimize the project's impact on that property. Landscaping on the Bollinger-Hartley House property will be discussed with the SHPO and the property owners and will be included in the post-construction landscape plan.

### ***Issue Resolution***

Dispute Resolution Related to the Memorandum of Agreement. Should the North Carolina SHPO object within (30) days to any plans or documentation provided for review pursuant to the Section 106 Memorandum of Agreement, the NCDOT will consult with the SHPO to resolve the objection. If the USACE or the SHPO determines that the objection cannot be resolved, the USACE will forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

- Provide the USACE with recommendations that the USACE will take into account in reaching a final decision regarding the dispute, or
- Notify the USACE that it will comment pursuant to Title 36 of the *Code of Federal Regulations*, Section 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the USACE in accordance with Title 36 of the *Code of Federal Regulations*, Section 800.7 (c) (4) with reference to the subject of the dispute.

Issue Resolution Related to the Memorandum of Understanding. The NCDOT and the Town recognize that engineering constraints may arise and engineering standards may change between the date of the MOU and the time of project completion. Should an engineering issue arise that complicates the fulfillment of any of the measures contained in the MOU, the NCDOT will initiate discussions with the Town to resolve the issue.

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