

#4 - Park and Planning Commission CIP for odd-numbered calendar years, and Capital Budget
Requires 6 affirmative votes.

Resolution No: 16-158
Introduced: May 24, 2007
Adopted: May 24, 2007

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: Approval of Amendments to the Approved FY 2007-2012 Capital Improvements Program, and Approval of and Appropriation for the FY 2008 Capital Budget of the Maryland-National Capital Park and Planning Commission

Background


1. As required by Article 28, Section 2-118, of the Maryland Code, the Maryland-National Capital Park and Planning Commission sent to the County Executive an FY 2008 Capital Budget.
2. Section 302 of the County Charter requires the Executive to send to the County Council by January 15 in each even-numbered calendar year a 6-year Capital Improvements Program (CIP), which the Executive did on January 12, 2006 for the 6-year period FY 2007-2012. Section 302 requires the affirmative vote of at least 5 Councilmembers to approve or modify the Executive's Recommended CIP. On May 25, 2006, the Council approved a CIP for FY 2007-2012 in Resolution 15-1465. After the Council approves a CIP, Section 302 permits the Council to amend it at any time with the affirmative vote of at least 6 Councilmembers.
3. Section 303 of the Charter requires the Executive to send to the Council by January 15 in each year a Recommended Capital Budget, which the Executive did on January 11, 2007 for FY 2008. The Executive also recommended amendments to the Approved FY 2007-2012 CIP.
4. As required by Section 304 of the Charter, the Council held a public hearing on April 9, 10, 11, 16 and May 1, 2007 on the Capital Budget for FY 2008 and on amendments to the Approved CIP for FY 2007-2012.

Action

The County Council for Montgomery County, Maryland approves the following resolution for the Maryland-National Capital Park and Planning Commission:

1. For FY 2008, the Council approves the Capital Budget and appropriates the amounts by project that are shown in part I. The expenditure of funds for each item in the Capital Budget must comply with all restrictions and requirements in the project description form for that item, as the form is contained in the Approved CIP as amended by this resolution, and as the CIP is amended by the Council under Charter Section 302 after this resolution is adopted.
2. The Council reappropriates the appropriations made in prior years for all capital projects:
 - a) except as specifically reflected elsewhere in this resolution;
 - b) in the amounts and for the purposes specified in the Approved CIP for FY 2007-2012; and
 - c) to the extent that those appropriations are not expended or encumbered.
3. The Council approves, as amendments to the Approved FY 2007-2012 CIP, projects shown in part II.
4. The Council approves the close out of the projects in part III.
5. The Council approves the partial close-out of the projects in part IV.
6. The Council approves the transfer of the unencumbered balance as of June 30, 2007 of all development projects from the County Government to the Commission. The amount of the transfer will be determined after the closing of FY 2007.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

**PART I: FY 2008 CAPITAL BUDGET FOR
MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

The appropriations for FY 2008 in this Part are made to implement the projects in the Capital Improvements Program for FY 2007-2012.

Project #	Project Name	FY08 Appropriation	Cumulative Appropriation	Total Appropriation
767828	Acquisition: Local Parks	1,035,000	4,037,000	5,072,000
008720	Ballfield Initiatives	1,350,000	2,076,000	3,426,000
977748	Cost Sharing: Local Parks	75,000	162,000	237,000
761682	Cost Sharing: Non-Local Parks	50,000	172,000	222,000
078703	Elmhirst Parkway Local Park	405,000	73,000	478,000
998774	Energy Conservation (M-NCPPC)	77,000	182,000	259,000
957775	Facility Planning: Local Parks	300,000	395,000	695,000
958776	Facility Planning: Non-Local Parks	300,000	632,000	932,000
078704	Germantown Town Center Urban Park	1,064,000	0	1,064,000
018710	Legacy Open Space	500,000	0	500,000
998762	Minor New Construction	225,000	517,000	742,000
967754	Planned Lifecycle Asset Replacement: Local Parks	1,545,000	2,842,000	4,387,000
968755	Planned Lifecycle Asset Replacement: NL Parks	1,565,000	5,146,000	6,711,000
078701	Pollution Prevention and Repairs to Ponds & Lakes	500,000	500,000	1,000,000
998740	Resurfacing Parking Lots and Paths: M-NCPPC	475,000	771,000	1,246,000
048703	Rock Creek Trail Pedestrian Bridge	198,000	6,130,000	6,328,000
827738	Roof Replacement: Local Parks	129,000	287,000	416,000
838882	Roof Replacement: Non-Local Pk	263,000	660,000	923,000
058755	Small Grant/Donor-Assisted Capital Improvements	600,000	1,172,000	1,772,000
818571	Stream Protection: SVP	533,000	1,081,000	1,614,000
078707	Takoma-Piney Branch Local Park	2,714,000	583,000	3,297,000
768673	Trails: Hard Surface Design & Construction	300,000	565,000	865,000
888754	Trails: Hard Surface Renovation	168,000	529,000	697,000
858710	Trails: Natural Surface Design, Constr. & Renov.	200,000	413,000	613,000
	Total - M-NCPPC	14,571,000	28,925,000	43,496,000

The County contribution to Acquisition: Non-Local Parks and Legacy Open Space includes:

998798	Acquisition: Non Local Parks - County Current Revenue - General	135,000
018710	Legacy Open Space - County G.O. Bonds	50,000

The County will contribute the following additional amounts for non-local park development and stormwater management facility maintenance:

1.	County G.O. Bonds	3,665,000
2.	County Current Revenue - General	2,227,000

PART II: REVISED PROJECTS

The projects described in this section were revised from, or were not included among, the projects approved by the County Council as they appeared in the Approved FY 2007 - 2012 Capital Improvements Program (CIP) as of May 25, 2006. These projects are approved.



Legacy Open Space -- No. 018710

Category **M-NCPPC**
 Agency **M-NCPPC**
 Planning Area **Countywide**
 Relocation Impact **None.**

Date Last Modified
 Previous PDF Page Number
 Required Adequate Public Facility

May 18, 2007
 7-264 (04 App)
 NO

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY05	Est. FY06	Total 6 Years	FY07	FY08	FY09	FY10	FY11	FY12	Beyond 6 Years
Planning, Design and Supervision											
Land	99,400	22,611	5,165	46,640	9,535	5,835	8,635	7,735	7,950	6,950	24,984
Site Improvements and Utilities											
Construction											
Other	600	23	77	300	50	50	50	50	50	50	200
Total	100,000	22,634	5,242	46,940	9,585	5,885	8,685	7,785	8,000	7,000	25,184

FUNDING SCHEDULE (\$000)

PAYGO	3,172	3,172	0	0	0	0	0	0	0	0	0
POS-Stateside (P&P only)	200	200	0	0	0	0	0	0	0	0	0
Program Open Space	4,080	480	0	3,600	3,600	0	0	0	0	0	0
G.O. Bonds	53,419	12,767	3,448	26,040	85	3,385	5,785	5,785	6,000	5,000	11,164
Contributions	21,020	400	100	9,000	1,500	1,500	1,500	1,500	1,500	1,500	11,520
Current Revenue:											
General	11,109	4,609	1,200	5,300	3,900	500	900	0	0	0	0
Park and Planning Bonds	7,000	1,006	494	3,000	500	500	500	500	500	500	2,500

ANNUAL OPERATING BUDGET IMPACT (\$000)

Maintenance				52	7	8	8	8	8	13	0
Program-Staff				181	41	28	28	28	28	28	0
Program-Other				61	23	10	7	7	7	7	0
Net Impact				294	71	46	43	43	43	48	0
Workyears				4.0	0.8	0.6	0.7	0.6	0.7	0.6	0.0

DESCRIPTION

The Legacy Open Space initiative identifies open space lands of countywide significance that should be acquired and interpreted because of exceptional natural or cultural value to current and future generations of Montgomery County residents. Legacy Open Space will acquire or obtain easements, or when necessary, make fee-simple purchase on open-space lands of countywide significance. In July 2001, the County Council adopted the Legacy Open Space Functional Master Plan to guide this program. The functional master plan sets forth procedures for selection of properties, setting priorities, and implementation of the program. Plan implementation and the need for CIP funding will extend beyond six years. Priorities will be updated with each new CIP, but will remain flexible enough to allow the Planning Board to address development threats and joint funding opportunities. The County Council encourages the Commission to seek supplemental appropriations if approved PDF funding is insufficient.

Non-County funding sources are expected to contribute significantly to the Legacy Open Space program. Some but not all contributions will appear in the PDF Expenditure and Funding Schedules depending on whether the contribution is actually spent by the County or Commission. For instance, matching donations from partners in cash or Program Open Space (POS) funds will be spent by the County or Commission and thus will be reflected in the schedules above, while donations of land or non-County funded payments that go directly to property owners will not be included. To date, a total of \$13.4 million in non-County funds have been contributed to implement the Legacy Open Space program. The combination of these non-County and County funds have resulted in the program successfully protecting over 3,000 acres of open space in the County, including 1,904 acres of in-fee acquisition and 1,166 acres of easements.

JUSTIFICATION

These exceptional lands are not well-protected and are threatened by the rapid pace of development. The public interest in the future availability of these lands for all County residents is best served if these lands are added to the public domain. The PROS Plan recommends placing priority on conservation of natural open spaces in and beyond the park system, protection of heritage resources, and expanded interpretation activities. Public demand for this initiative is strong as reflected in the results of the PROS public opinion surveys.

APPROPRIATION AND EXPENDITURE DATA

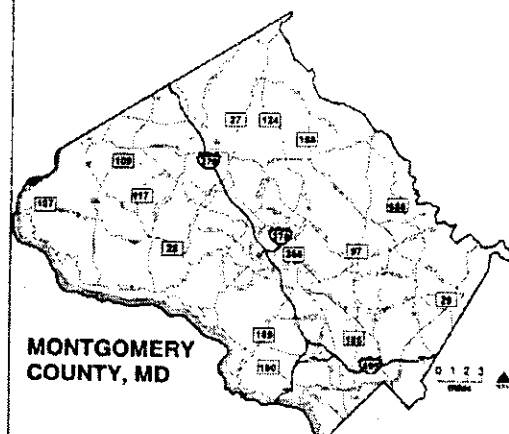
Date First Appropriation	FY01	(\$000)
Initial Cost Estimate		100,000
First Cost Estimate		
Current Scope	FY01	100,000
Last FY's Cost Estimate		100,000
Present Cost Estimate		100,000
Appropriation Request	FY07	6,385
Appropriation Req. Est.	FY08	3,885
Supplemental Appropriation Request	FY06	1,800
Transfer		0
Cumulative Appropriation		29,676
Expenditures/Encumbrances		22,634
Unencumbered Balance		7,042
Partial Closeout Thru	FY04	0
New Partial Closeout	FY05	0
Total Partial Closeout		0

COORDINATION

Acquisition: Local Parks PDF 767828
 Acquisition: Non-Local Parks PDF 998798
 ALARF: M-NCPPC PDF 727007
 Restoration of Historic Structures PDF 808494
 State of Maryland

M-NCPPC asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

MAP



Plans and Studies

Legacy Open Space: Open Space Conservation in the 21st Century, approved by the Planning Board in October 1999. Legacy Open Space Functional Master Plan adopted by the County Council in July 2001.

Cost Change

Not applicable.

STATUS

Ongoing.

OTHER

Contributions to date that will be shown on this PDF include \$1.25 million from Chevy Chase Village and \$58,000 from Section 5 of the Village of Chevy Chase toward the Wohlfarth Property acquisition; \$110,000 from the City of Takoma Park for the Sligo Mill acquisition; and \$200,000 in Stateside POS funds for the Maiden's Fancy acquisition. The County and the Commission have entered into an Agreement with Chevy Chase Village to receive \$312,000 in POS allocation and \$938,000 in cash over 10 years. Another \$58,000 in POS funds were contributed to the Legacy Open Space program by Section 5 of the Village of Chevy Chase. The Commission has entered into an Agreement with the City of Takoma Park to receive \$110,000 from the City's POS allocation. The POS contributions are labeled as such in the Funding Schedule, including \$422,000 appropriated in FY03 (supplemental) and \$58,000 appropriated in FY05. The cash contributions from Chevy Chase Village are appropriated each year as payments are anticipated and are shown in the Contributions line of the Funding Schedule. \$500,000 has been received in cash to date and \$100,000 is being appropriated for each of FY07 and FY08 in anticipation of agreed payments.

In addition to the above contributions, many non-County funds have been used to protect several important Legacy Open Space sites that will not be reflected in the PDF schedules. One private contribution is a donation of land valued at \$400,000 for the Broad Run Stream Valley Park. Contributions from the State of Maryland in the form of direct payments to property owners include \$7.2 million in GreenPrint funds for the Hoyles Mill Conservation Park; \$3.7 million in Rural Legacy funds for an easement on the Hoyles Mill Diabase-North; and \$496,000 from the Maryland Agricultural Land Preservation Foundation (MALPF) for easements over two Legacy heritage sites (White/Carlin Farm and Friends Advice).

Continuing efforts begun in FY03, the Commission proposes to use UP TO \$50,000 from General Obligation Bonds to cover one time costs required to secure properties, e.g. removing attractive nuisances, posting properties, cleaning up sites, etc. These costs are not projected for the Operating Budget Impact because the Department does not know when the negotiations for a particular property will be concluded or which Division's operating budget will be affected.

FISCAL NOTE

In FY07 and FY08, a portion of the funding will be Current Revenue instead of GO Bonds due to an anticipated purchase with the potential for a partnership for reuse. FY07 Special Appropriation to increase funding by \$1,800,000 and replace GO Bonds with \$1,800,000 for Program Open Space Funding for anticipated purchase. FY08 Amendment to shift \$1.0 million in GO Bonds from FY08 to FY11 and shift \$900,000 Current Revenue from FY08 to FY09, net reduction in appropriation in FY08 is \$900,000.

Planned Lifecycle Asset Replacement: Local Parks – No. 967754

Category: M-NCPPC
 Agency: M-NCPPC
 Planning Area: Countywide
 Relocation Impact:

Date Last Modified: May 22, 2007
 Previous PDF Page Number: 7-259 (04 App)
 Required Adequate Public Facility: NO

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY05	Est. FY06	Total 5 Years	FY07	FY08	FY09	FY10	FY11	FY12	Beyond 5 Years
Planning, Design and Supervision	1,223	0	209	1,014	169	169	169	169	169	169	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	9,298	0	2,443	6,855	1,400	1,101	1,051	1,101	1,101	1,101	0
Construction	151	0	0	151	25	25	26	25	25	25	0
Other	1,250	0	0	1,250	250	250	0	250	250	250	0
Total	11,922	0	2,652	9,270	1,644	1,545	1,246	1,545	1,545	1,545	0

FUNDING SCHEDULE (\$000)

Current Revenue: Park and Planning	0	0	0	0	0	0	0	0	0	0	0
Current Revenue: General	0	0	0	0	0	0	0	0	0	0	0
Park and Planning Bonds	11,801	0	2,531	9,270	1,644	1,545	1,246	1,545	1,545	1,545	0
State Aid	121	0	121	0	0	0	0	0	0	0	0
Rental Income - General	0	0	0	0	0	0	0	0	0	0	0

ANNUAL OPERATING BUDGET IMPACT (\$000)

DESCRIPTION

This project schedules renovation or replacement of aging, unsafe, or obsolete local park facilities or components of park facilities, e.g. playgrounds, athletic fields, and tennis/multi-use courts, and renovation or replacement of major building components, e.g. HVAC systems, mechanical/plumbing equipment, and electrical systems. PLAR also funds renovations needed to comply with the Americans With Disabilities Act (ADA). Local parks include local, neighborhood, urban, and neighborhood conservation area parks.

JUSTIFICATION

The park system contains over 220 individual local parks and many different types of facilities. Most of these parks are over 30 years old. Failure to renovate or replace aging park facilities or components on a scheduled basis before the end of their useful life results in decreased levels of service to park users and an overall increase in capital costs as repairs become "emergencies." The largest component of PLAR: Local Parks is play equipment replacement. New play equipment replaces units 15 to 30 years old. The life span of most play equipment is 20 to 25 years with normal use; the life span of older wood units ranges from 15 to 20 years. Some entire play units or components of units have been removed from the parks for safety reasons. Standards for play equipment design/manufacture are undergoing intense national scrutiny. The Consumer Product Safety Commission guidelines address playground installation and child safety. Some older play units do not conform to these guidelines. In addition, one-third of the activities on the play unit are required to be accessible to all children. Play amenities include the play area border and protective surfacing under equipment, as well as benches and trees to shade the play equipment, if needed.

Cost Change

Increase due to addition of FY11 and FY12 to this ongoing program, and infrastructure maintenance initiative.

STATUS

ONGOING

OTHER

The following repairs are funded through other PDFs: repairs to parking lots, entrance roads that are not park roads, and any type of walkway or trail which is not part of the hiker-biker system; repairs to hiker-biker trails; and repairs to natural surface trails.

* Expenditures will continue indefinitely.

FISCAL NOTE

Increase in FY06 due to Infrastructure Task Force (\$250,000 P&P Bonds) and transfer from proposed FY06 Operating Budget (\$120,000 P&P Bonds). In FY06, \$15,000 P&P Bonds transferred to National Capital Trolley Museum from PLAR: LP Athletic Field Rehab. As an amendment to the FY07-12 CIP, \$299,000 of Park & Planning Bonds was moved forward from FY09 to FY07.

APPROPRIATION AND EXPENDITURE DATA

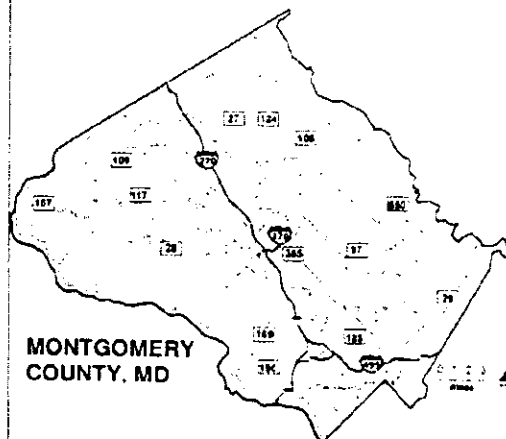
Date First Appropriation	FY99	(\$000)
Initial Cost Estimate		0
First Cost Estimate		0
Current Scope	FY99	0
Last FY's Cost Estimate		9,722
Present Cost Estimate		11,922
Appropriation Request	FY07	1,545
Appropriation Req. Est.	FY08	1,545
Supplemental		
Appropriation Request	FY06	0
Transfer		0
Cumulative Appropriation		2,652
Expenditures		
Encumbrances		312
Unencumbered Balance		2,340
Partial Closeout Thru	FY04	8,291
New Partial Closeout	FY05	1,404
Total Partial Closeout		9,695

COORDINATION

Resurfacing Parking Lots and Paths, PDF 998740
 Trails: Hard Surface Renovation, PDF 888754
 Trails: Natural Surface Trails, PDF 858710

M-NCPPC asserts that this project conforms to the requirements of relevant local plans as required by the Maryland Economic Growth, Resource Protection and Planning Act.

MAP



MONTGOMERY COUNTY, MD

Germantown Town Center Urban Park -- No. 078704

Category **M-NCPPC**
 Agency **M-NCPPC**
 Planning Area **Germantown**
 Relocation Impact **None.**

Date Last Modified
 Previous PDF Page Number
 Required Adequate Public Facility

May 17, 2007
 NONE
 NO

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY05	Est. FY06	Total 6 Years	FY07	FY08	FY09	FY10	FY11	FY12	Beyond 6 Years
Planning, Design and Supervision	1,064	0	0	1,064	0	265	711	88	0	0	0
Land											
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	1,064	0	0	1,064	0	265	711	88	0	0	0

FUNDING SCHEDULE (\$000)

Program Open Space	0	0	0	0	0	0	0	0	0	0	0
Contributions	0	0	0	0	0	0	0	0	0	0	0
Current Revenue: General	0	0	0	0	0	0	0	0	0	0	0
Park and Planning Bonds	1,064	0	0	1,064	0	265	711	88	0	0	0

ANNUAL OPERATING BUDGET IMPACT (\$000)

Energy				3	0	0	0	0	0	3	0
Program-Staff				20	0	0	0	0	0	20	0
Program-Other				5	0	0	0	0	0	5	0
Net Impact				28	0	0	0	0	0	28	0
Workyears				0.5	0.0	0.0	0.0	0.0	0.0	0.5	0.0

DESCRIPTION

This project provides a park in the Germantown Town Center, situated at the northern end of an 8.80-acre parcel of land owned by Montgomery County and shared with the new Germantown Regional Library. The site is challenging to develop due to the presence of existing wetlands, existing stormwater management facilities, and steep slopes. The approved facility plan for this new park creates large open space areas by placing both adjacent residential stormwater management facilities underground. There will be two additional water features in the central area of the site, in addition to an existing wetland that serves stormwater management functions. Features of this park include interpretive trails and boardwalks, lighting along main pathways, overlook terraces with retaining walls and stair connections to the park and the library, a pavilion for community festivals and events, landscaping, and enhanced wetland plantings.

JUSTIFICATION

This new park is proposed in the Germantown Master Plan, approved and adopted in July 1989. The Germantown Town Center has been fully built through significant public and private development investment, according to recommendations in the master plan, with the exception of this remaining undeveloped parcel of land. The Montgomery County Planning Board approved the park facility plan on June 30, 2005. In addition to a pavilion for community events, this park will provide much needed natural recreation spaces and interpretive trails for the enjoyment of the community and users of adjacent facilities.

Plans and Studies

Germantown Master Plan adopted July 1989. Germantown Town Center Design Study, prepared by M-NCPPC April 1992. Stormwater management options study presented to the Planning Board in a public hearing April 19, 2000. Park facility plan approved by Planning Board June 30, 2005. A review of impacts to pedestrians, bicycles and ADA requirements will be performed and addressed by this project. Traffic signals, streetlights, crosswalks, bus stops, ADA ramps, bikeways, and other pertinent issues will be considered in the design of the project to ensure pedestrian safety.

Cost Change

Not applicable.

STATUS

Final design stage.

OTHER

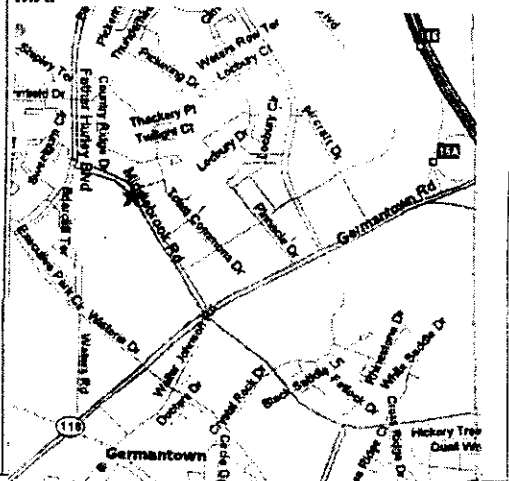
APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY07	(\$000)
Initial Cost Estimate		0
First Cost Estimate		
Current Scope	FY07	1,064
Last FY's Cost Estimate		0
Present Cost Estimate		1,064
Appropriation Request	FY07	0
Appropriation Req. Est	FY08	1,064
Supplemental		
Appropriation Request	FY06	0
Transfer		0
Cumulative Appropriation		0
Expenditures/		
Encumbrances		0
Unencumbered Balance		0
Partial Closeout Thru	FY04	0
New Partial Closeout	FY05	0
Total Partial Closeout		0

COORDINATION

Montgomery County Department of Environmental Protection

MAP



The current PDF includes design for future development in phases: (1) east stormwater management system; (2) improvements on east side of property with east-west connections across the park to the library; (3) west stormwater management system and remaining park improvements; (4) north trail connection to Lake Churchill. M-NCPPC will continue to work with County Government ON THE DESIGN OF STORM WATER MANAGEMENT SYSTEMS. on stormwater management options. M-NCPPC will discuss alternative stormwater management options when the Council reviews the FY09-FY14 CIP.

FISCAL NOTE

Receipt of a \$300,000 developer contribution from Fairfield Germantown Farms satisfies a condition of the project plan and site plan. FY08 Amendment to move design forward one year and replace \$600 County Current Revenue with Park and Planning Bonds.

PART III: CAPITAL IMPROVEMENTS PROJECTS TO BE CLOSED OUT

The following capital projects are closed out effective July 1, 2007, and the appropriation for each project is decreased by the amount of that project's unencumbered balance.

Project #	Project Name
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**PART IV: CAPITAL IMPROVEMENTS PROJECTS:
PARTIAL CLOSE OUT**

Partial close out of the following capital projects is effective July 1, 2007.

Project #	Project Name	Amount
767828	Acquisition: Local Parks	1,198,000
998798	Acquisition: Non-Local Parks	3,119,000
008720	Ballfield Initiatives	815,000
848704	Brookside Gardens	1,000
977748	Cost Sharing: Local Parks	26,000
761682	Cost Sharing: Non-Local Parks	65,000
998774	Energy Conservation (M-NCPPC)	45,000
998773	Enterprise Facilities' Improvements	10,000
957775	Facility Planning: Local Parks	138,000
958776	Facility Planning: Non-Local Parks	163,000
998762	Minor New Construction	190,000
967754	Planned Lifecycle Asset Replacement: Local Parks	1,667,000
968755	Planned Lifecycle Asset Replacement: NL Parks	1,251,000
808494	Restoration Of Historic Structures	74,000
868700	Resurfacing Park Roads and Bridge Improvements	326,000
998740	Resurfacing Parking Lots and Paths: M-NCPPC	316,000
827738	Roof Replacement: Local Parks	134,000
838882	Roof Replacement: Non-Local Pk	9,000
058755	Small Grant/Donor-Assisted Capital Improvements	28,000
958758	Storm Water Mgt. Discharge Control	243,000
948718	Storm Water Mgt. Structural Rehab.	330,000
818571	Stream Protection: SVP	284,000
768673	Trails: Hard Surface Design & Construction	55,000
888754	Trails: Hard Surface Renovation	109,000
858710	Trails: Natural Surface Design, Constr. & Renov.	23,000