



**Public Safety Team Analysis of
Nature Based Outdoor Activities on
Projects Purchased with
Stewardship Grant Funds**

Rev. August 2012

NOTE TO DNR STAFF: *This completed form will be attached to the NBOA notice that the DNR will publish when considering a request for Stewardship grant funding. Do not list location information for the subject property or the seller's name because WI courts have held that this information is confidential until land ownership has changed hands. CF Staff completes the project proposal section prior to submitting to public safety team for review.*

PUBLIC SAFETY REVIEW TEAM

Jason Roberts	10-30-2012	Kevin Mickelberg	11/15/12
Regional Recreational Safety Warden	Date	Regional Warden Supervisor	Date

PROJECT DESCRIPTION

Applicant/ Sponsor: Milwaukee County Dept. of Parks, Rec. & Culture	Year of Application: 2011
Project Name: Milwaukee County Oak Leaf Trail- Lakefront-Ozaukee Interurban connector Phase 4-Acquisition	Primary Purpose: <input type="checkbox"/> Habitat Areas <input checked="" type="checkbox"/> Local Parks <input type="checkbox"/> Natural Areas <input type="checkbox"/> Urban Rivers <input type="checkbox"/> State Trails <input type="checkbox"/> Urban Greenspace <input type="checkbox"/> Streambank Protection

Project Description:
Acquisition of 37.3 acres of an existing rail grade corridor for the development of a multi-use recreational trail that would extend and expand the existing Milwaukee County Oak Leaf Trail and connect the Ozaukee County Interurban Trail.

FINDINGS OF FACT:

Milwaukee County Department of Parks, Recreation and Culture has applied for Stewardship funding for the purpose of acquiring a 3.1 miles (37.3 acre) corridor of an existing railroad grade. The purpose of this acquisition is to increase various trail-related recreational activities by expanding and enhancing the current Milwaukee County Oak Leaf Trail system and connecting it with the Ozaukee Interurban Trail.

The property in question is approximately 3.1 miles of railroad grade with rails intact, along with 8 bridges along the proposed trail. The railroad rails will be salvaged during trail development and the 8 bridges will be maintained and modified for trail use. The trail will cross the Milwaukee River and will run adjacent to the Milwaukee County parkways. Vegetation within the corridor consists mostly of non-native invasive species.

A Milwaukee County ordinance currently prohibits hunting and trapping within all Milwaukee County owned or leased properties. There are currently no hunting or trapping opportunities on any of the adjacent parkway properties. Additionally, the continuous proximity of residential and commercial buildings along the proposed corridor would constantly put hunters and trappers in violation of state law prohibiting firearm discharge and most forms of trapping within 100 yards of any dwelling devoted to human occupancy.

The SER NBOA Public Safety Team has determined that the prohibition of hunting and trapping is necessary to insure compliance with currant state firearms/trapping laws and to protect public safety.

It is also noted this new development would expand hiking, fishing, canoeing, kayak, biking and other trail-related outdoor recreational activities throughout the corridor.

Parcel Size, Shape, and Topography: Describe the size, shape, and topography of the parcel and how it relates to public safety for this activity on this site.

The proposed acquisition consists of an existing railroad grade corridor with rails in place along a 3.1 mile stretch connecting the Milwaukee County Oak Leaf Trail and the Ozaukee Interurban Trail. The width is minimal and is typical of a one track railroad easement. The shape of the parcel and the proximity to residential homes and businesses would necessitate a hunting and trapping prohibition to insure public safety.

Proposed NBOA Prohibition or Restrictions

HUNTING			
	Gun Prohibition/Restriction	Archery Prohibition/Restriction	List Dates/Seasons (opening and closing)
Waterfowl	X	X	N/A
Small Game	X	X	N/A
Turkey	X	X	N/A
Large Game	X	X	N/A

Public Safety Team Narrative:

The extraordinarily high density of residential homes and businesses along the proposed property would make legal hunting nearly impossible. State Law prohibits the discharge of a firearm within 100 yards of a residential home. This state law restriction would alone block out the vast majority of this property to hunting.

It is the opinion of SER NBOA Public Safety Team the prohibition on all hunting is necessary to insure compliance with current state firearm discharge laws, to limit user conflict on the trails and to insure the safety of the public.

It will be noted that this new development will expand hiking, fishing, canoeing, kayaking, biking and other trail-related outdoor recreational activities throughout the corridor.

Public Safety Factors Considered: Check all that apply.

- The sponsor is within its own municipality boundary
- Parcel is within 100 yards of building devoted to human occupancy
- Parcel is within 50 feet of the center line of highways & roads
- Parcel is within 1700 feet of school grounds, hospital, or sanatorium
- Ordinance exists – City of Milwaukee and Milwaukee County
 - Discharge or carrying a weapon
 - Hunting within a park
 - Throwing or shooting missiles, arrows, spears, etc.
- Parcel is subjected to a non-sponsor ordinance (City of Milwaukee ordinance)
- Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.
- Parcel is adjacent to a public waterway.
- Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe: **The City and County of Milwaukee currently prohibit hunting and trapping within their boundaries. The allowance of hunting/trapping would create extreme confusion and alarm by those likely to utilize the trail system.**

Other _____

Prohibition or Restriction Necessary to Protect Public Safety: Yes No

TRAPPING

Location	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Upland	X	N/A
Water	X	N/A

Public Safety Team Narrative:
 The proposed site will be utilized as a trail system and thoroughfare connecting the various county parkways. The high volume of hikers, X-country skiers and bikers would create user conflicts along the trail system. The extraordinarily high density of residential homes and business' along the proposed property would make legal trapping nearly impossible. The state trapping setbacks (100 yards from residential homes) would eliminate a vast majority of the property to legal trapping.

It is the opinion of SER NBOA Public Safety Team the prohibition on all trapping is necessary to insure compliance with currant state trapping laws and to insure the safety of the public.

It will be noted that this new development will expand hiking, fishing, canoeing, kayaking, biking and other trail-related outdoor recreational activities throughout the corridor.

- No Water On Site**
- Public Safety Factors Considered:** Check all that apply.
- X The sponsor is within its own municipality boundary.
 - X Parcel is within 100 yards of building devoted to human occupancy and per s. NR 13.(1)(b)(12), the following traps are prohibited: conibear body gripping traps (with jaws wider than 60 sq. inches) and cable restraints.
 - X Ordinance exists that prohibits trapping or some type of trapping.
 - X Parcel is subjected to a non-sponsor ordinance (City of Milwaukee ordinance)
 - Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.
 - X Parcel is adjacent to a public waterway.
 - X Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe: **Visitor and pet safety concerns would create an intense user conflict among those utilizing the trail system.**
- Other _____

Prohibition or Restriction Necessary to Protect Public Safety: **Yes** **No**

FISHING

Method	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Shore	None	Per state regulation
Boat	None	Per state regulation

Public Safety Team Narrative: Fishing will be allowed on the property. The trail does cross the Milwaukee River along the 3.1 mile stretch. The fishing opportunities should include the banks and bridges of the land acquired through this grant process. The SER NBOA sees no public safety concerns or reasons to restrict any fishing opportunities along this proposed property.

- No Water on Site**
- Public Safety Factors Considered:** Check all that apply.
- Ordinance exists – _____.
 - Parcel is subjected to a non-sponsor ordinance
 - Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.
 - X Parcel is adjacent to a public waterway.
 - Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe:
- Other _____

Prohibition or Restriction Necessary to Protect Public Safety: **Yes** **No**

HIKING

Location	Prohibition/Restriction	List Dates (opening and closing)
On-Trail	None	All year
Off-Trail	None	All year

Public Safety Team Narrative:

Hiking will be allowed on the property.

The SER NBOA sees no public safety concerns or reasons to restrict any hiking opportunities along this proposed property.

Public Safety Factors Considered: Check all that apply.

- Parcel is subjected to a non-sponsor ordinance
- Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.
- Parcel is adjacent to a public waterway.
- Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe:

- Other _____

Prohibition or Restriction Necessary to Protect Public Safety: Yes No

CROSS COUNTRY SKIING

Type of Trail	Prohibition/Restriction	List Dates (opening and closing)
Off-Trail (un-groomed)	None	Winter
On-Trail (un-groomed)	None	Winter
On-Trail (groomed)	None	Winter

Public Safety Team Narrative:

Cross-country skiing will be allowed on the property.

Public Safety Factors Considered: Check all that apply.

- Parcel is subjected to a non-sponsor ordinance
- Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.
- Parcel is adjacent to a public waterway.
- Visitor's expectations of safety at the site, which includes user conflicts that may create public safety issues and impact one or more NBOA's activities. Describe:

- Other _____

Prohibition or Restriction Necessary to Protect Public Safety: Yes No