

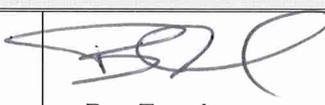


**Public Safety Team Analysis of
Nature Based Outdoor Activities on
Projects Purchased with
Stewardship Grant Funds**

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

 <u>Jeremy Cords</u> Regional Recreational Safety Warden	 <u>Ben Tremel</u> Regional Warden Supervisor
Date <u>1-8-15</u>	Date <u>01/08/15</u>

PROJECT DESCRIPTION

Applicant/ Sponsor: City of Green Bay	Year of Application: 2014
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Project Name: East River Trail – allocation of property along the East River in the area of Hwy 141, St George and Irwin Streets within the City of Green Bay	Primary Purpose: <input type="checkbox"/> Habitat Areas <input type="checkbox"/> Local Parks <input type="checkbox"/> Natural Areas <input type="checkbox"/> Urban Rivers <input type="checkbox"/> State Trails <input checked="" type="checkbox"/> Urban Greenspace <input type="checkbox"/> Streambank Protection
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Project Description:

One property is currently residential while the other property is made up of some commercial space. There are 5 parcel or partial property acquisitions in this proposal and includes the first 50 to 150 feet of the parcels bordering the East River. The acquisition includes one small commercial structure with adjacent parking lot and other parcels with buildings. Once acquired the buildings identified and the paved areas are to be removed and converted to green space and made into a recreational trail by the City.

Activities will include Hiking, Fishing, Trapping, Cross-country skiing, Non-motorized boat access (canoe and kayak), Biking, Picnic areas, Snowshoeing, Nature Study, Wildlife Observation, Photography and Bird Watching

FINDINGS OF FACT:

The property is located on the East River just 1 mile east of the Fox River and South of Hwy 141/Main St within the downtown area of the City of Green Bay in Brown County. This area is densely populated and highly developed both commercially and residentially. The only prohibition noted prohibits the hunting of waterfowl, small game, turkey, large game but a permit or registration system is reportedly being proposed and may include provisions made by Act 71.

Based on the properties geographical location of downtown Green Bay and being in very close proximity to area businesses and residences, the public safety team agrees that the city wide ordinance restricting discharge of firearms is necessary and a reasonable expectation of the public's health and safety.

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.

There are two locations with a total of 5 identified parcels they are located about 1400 feet from each other and range from 50 ft. x 50 ft. to as big as 50 ft. x 150 ft. leaving just enough room for a trail to be developed and maintained with small bushes, trees or other vegetation for screening.

Proposed NBOA Prohibition or Restrictions

HUNTING			
	Gun Prohibition/Restriction	Archery Prohibition/Restriction	List Dates/Seasons (opening and closing)
Waterfowl	Yes	Yes and in accordance with Act 71	
Small Game	Yes	Yes and in accordance with Act 71	
Turkey	Yes	Yes and in accordance with Act 71	
Large Game	Yes	Yes and in accordance with Act 71	

Public Safety Team Narrative:

Based on the proposed properties geographical location of downtown Green Bay and very close proximity to area businesses and residences, the public safety team agrees that the city wide ordinance restricting discharge of firearms is necessary and a reasonable expectation of the public's health and safety.

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 –
 - Discharge or carrying a weapon
 - Hunting within a park
 - Throwing or shooting missiles, arrows, spears, etc.
- 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

TRAPPING		
Location	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Upland	None	
Water	None	
Public Safety Team Narrative:		
<input checked="" type="checkbox"/> No Water On Site Public Safety Factors Considered: Check all that apply. <input type="checkbox"/> The sponsor is within its own municipality boundary. <input type="checkbox"/> Parcel is within 100 yards of building devoted to human occupancy and per s. NR 10.13(1)(b)(12)(c), the following traps are prohibited: conibear body gripping traps (with jaws wider than 60 sq. inches) and cable restraints. <input type="checkbox"/> Ordinance exists that prohibits trapping or some type of trapping. <input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance <input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists. <input type="checkbox"/> Parcel is adjacent to a public waterway. <input type="checkbox"/> 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: <input type="checkbox"/> Other _____		
Prohibition or Restriction Necessary to Protect Public Safety: <input type="checkbox"/> Yes <input type="checkbox"/> No		

FISHING		
Method	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Shore	None	
Boat	None	
Public Safety Team Narrative:		
Expected use includes the launching and retrieval of canoes and kayaks <input type="checkbox"/> No Water on Site <input type="checkbox"/> Public Safety Factors Considered: Check all that apply. <input type="checkbox"/> Ordinance exists – <input type="checkbox"/> _____ <input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance <input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists. <input checked="" type="checkbox"/> Parcel is adjacent to a public waterway. <input type="checkbox"/> 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: <input type="checkbox"/> Other _____		
Prohibition or Restriction Necessary to Protect Public Safety: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

HIKING

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

Public Safety Team Narrative:

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	
On-Trail (un-groomed)	Yes – when plowed	
On-Trail (groomed)	N/A	

Public Safety Team Narrative:

It appears that the City plans to utilize the trail for regular foot traffic and is okay with cross-country skiing but is not planning on maintaining the trail for the purposes of cross-country skiing

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

27.603 WEAPONS.

(1) FIREARMS.

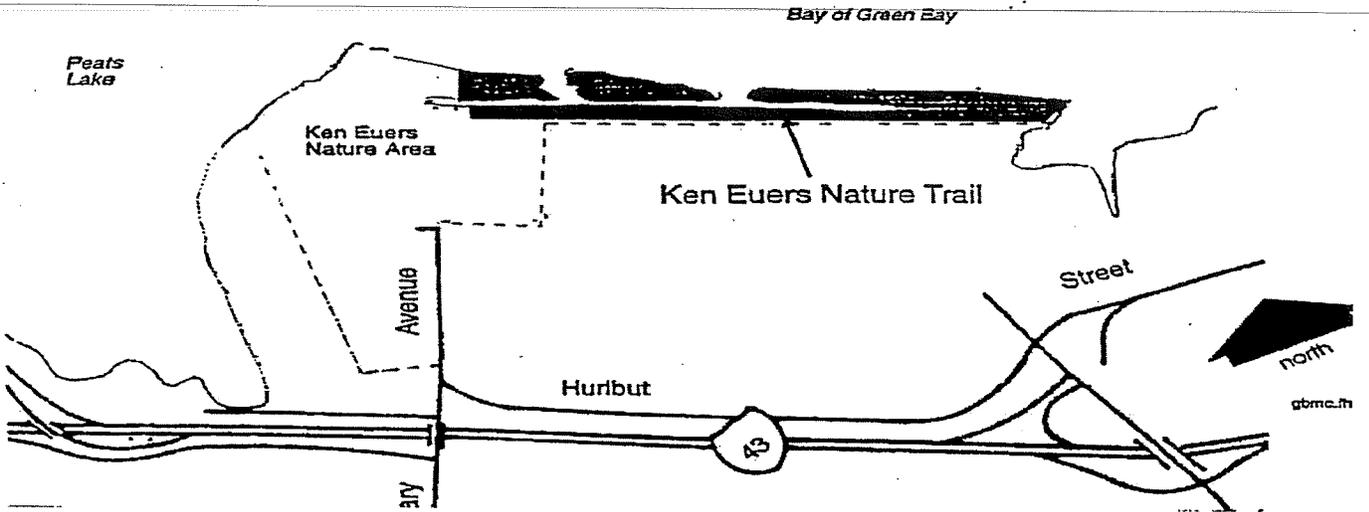
(a) Discharge Prohibited. No person shall discharge a firearm in the City.

(b) Exceptions. A firearm may be discharged under the following conditions:

1. In the confines of a licensed shooting gallery or sportsmen club.
2. By peace officers of the United States, Wisconsin, or subdivision thereof while in the discharge of the proper exercise of their duties and within their proper jurisdictions.
3. For the purpose of the elimination of animals, as authorized by the Department of Natural Resources and the Green Bay Police Department, and such decision may be appealed to the Protection and Welfare Committee.
4. Within an entirely enclosed structure under such circumstances that the instrument can be fired in such a manner as to not endanger any persons or property and as to prevent the projectile from leaving the structure.
5. (Cr. GO 7-08) Pursuant to action validly taken in self-defense.
6. Migratory bird hunting in the West Bay Shore area north of the Ken Euers trail between half-way slough and the extension of Military Avenue, specifically displayed in the shaded area of the following map. Any discharge of a firearm in this area shall be directed over or into the waters of Green Bay and the weapon and ammunition used shall comply with all regulations pertaining to the hunting of migratory birds.

MIGRATORY BIRD HUNTING AREA
SECTION 27.603(1)(b)5, GREEN BAY MUNICIPAL CODE

MAP



(2) BOW AND CROSSBOW. (Amd. GO 3-14)

(a) Use and Discharge Prohibited. No person shall use or discharge an arrow from a bow or a bolt from a crossbow in the City.

(b) Exceptions. A bow and arrow or crossbow may be used under the following conditions:

1. As part of a supervised activity sponsored by a public or private institution of learning duly licensed by the State of Wisconsin.

2. At a licensed sportsmen's club, gallery, or range.

3. In conformity with the conditions of subsection (1)(b)4 or (1)(b)5.

4. While hunting at least 100 yards from a building located on another person's land and only if discharging the arrow or bolt toward the ground.

5. While hunting with the permission of any person who owns a building within 100 yards and only if discharging the arrow or bolt toward the ground.

(3) POSSESSION OF DANGEROUS OR DEADLY WEAPONS.

(a) Generally Prohibited. Except as reasonably necessary to fulfill the exceptions provided elsewhere in this ordinance, no person shall carry or transport any bow or crossbow, or conceal about the person or display in a threatening manner any dangerous or deadly weapon including, but not limited by enumeration to, martial arts weapons such as throwing stars, swords, or nunchiku; slingshots; knuckles of lead, brass, or other metals; or a bowie knife, bow, or crossbow; pistol, revolver, rifle, or shotgun.

(b) Exceptions. The prohibitions of subsection (3)(a) will not be construed to prevent the carrying of any type of weapon when it is unloaded and properly cased, boxed, packaged, or otherwise unavailable for immediate use or transported in conformity with Sec. 167.31, Wis. Stats., or the display and sale of such weapon by a licensed retailer; or when such weapon is possessed in strict conformity with Sec. 29.304, Wis. Stats., nor shall any of these prohibitions forbid any peace officer of the United States, Wisconsin, or subdivision thereof from carrying, wearing, or using such weapons as shall be necessary in the property exercise of their duties.

(4) SEVERABILITY. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

27.604 MISUSE OF 911. No person shall dial the telephone number "911" knowing that no emergency in fact exists. No person shall dial the telephone number "911" and report a fact situation that he or she knows does not exist. For the purposes of this section, "emergency" shall mean a situation in which property or human life are in jeopardy and the prompt summoning of aid is essential.