

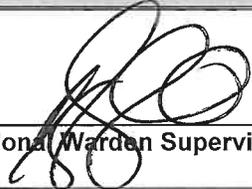


**Public Safety Team Analysis of
Nature Based Outdoor Activities on
Projects Purchased with
Stewardship Grant Funds**

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

 _____ Regional Recreational Safety Warden	09/30/2020 _____ Date	 _____ Regional Warden Supervisor	10-01-2020 _____ Date
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PROJECT DESCRIPTION

Applicant/ Sponsor: City of Hurley	Year of Application: 2021
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Project Name: Hurley to Montreal Trail	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
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Project Description:

The City of Hurley proposes to acquire a 2.7-mile former railroad grade to create a non-motorized trail between Hurley and the City of Montreal.

FINDINGS OF FACT:

The subject property is located in northern Iron County, with about 1.9 miles of the former grade within the city limits of Hurley, and 0.8 mile within the city limits of Montreal. The applicant for this grant is the City of Hurley, intending to acquire the property. If successful, the City of Hurley would transfer that portion of the trail within the limits of the City of Montreal to that city, who has passed a resolution agreeing to the potential transfer and accepting all of the Stewardship requirements.

Both the City of Montreal and the City of Hurley have ordinances in place restricting the discharge of firearms and bows within the city limits. Because the subject property is within the city limits, these restrictions would apply to users of the subject property. Because the sponsor is the proposed grant recipient, the ordinances constitute a sponsor-based prohibition for grant purposes per ch. 23.0916 Wis. Stats.

The City of Montreal's ordinance prohibits the discharge of firearms or bow and arrow within the city limits and does not allow for any hunting opportunity.

While the City of Hurley's ordinance does allow for limited hunting opportunities for deer and geese within the City limits, no such hunt has been conducted on city property in the past 25 years. From discussion with City representatives, they anticipate this will likely not be offered for the foreseeable future.

A portion of the property (0.5 mile) is currently being used as part of a public motorized trail, the Iron Horse Trail. This use would remain should the acquisition be successful.

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 subject property consists of 50 feet on either side of the centerline of a former railroad grade and is approximately 2.7 miles in length. There is no rail remaining, though the property is improved with culverts and steel frame bridges. Within the developed areas of the City of Hurley, the corridor is fairly level, but lower than the surrounding landscape, with steep shoulder edges sloping up to adjacent properties. In less developed areas, the corridor is higher than the adjacent landscape, with about 20-30 feet as the original grade railroad bed and steep shoulders sloping to the natural landscape on either side. Other than the part used for the motorized trail, there has been little to no right of way management or maintenance for many years, and several portions are overgrown.

Proposed NBOA Prohibition or Restrictions

HUNTING – City of Hurley			
	Gun Prohibition/Restriction	Archery Prohibition/Restriction	List Dates/Seasons (opening and closing)
Waterfowl	Prohibited	Prohibited	N/A
Small Game	Prohibited	Prohibited	N/A
Turkey	Prohibited	Prohibited	N/A
Large Game	Prohibited	Prohibited	N/A

HUNTING – City of Montreal			
	Gun Prohibition/Restriction	Archery Prohibition/Restriction	List Dates/Seasons (opening and closing)
Waterfowl	Prohibited	Prohibited	N/A
Small Game	Prohibited	Prohibited	N/A
Turkey	Prohibited	Prohibited	N/A
Large Game	Prohibited	Prohibited	N/A

Public Safety Team Narrative:

The subject property is a 100-foot wide former railroad corridor that extends over 2.7 miles. Portions of the property fall within safety distances to residences and schools in the Cities of Hurley and Montreal, as well as crossing public roads and highways. There are portions of the property that are far enough away from these features that would technically allow for hunting without the ordinances in place. However, the overall shape and size of the property, being long and narrow, limits opportunity in general and is not conducive to a safe shooting direction, particularly with a firearm. About half the corridor has fairly steep topography adjacent to the grade, further limiting hunting opportunity.

While the property may offer limited opportunity for small game, larger game and birds shot by hunters may enter adjacent private property before expiring, creating a trespass situation for the hunter to obtain it. Additionally, the proposed use as a developed, public, non-motorized trail will further impact and reduce hunting opportunities, creating a significant public safety concern.

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:

The property previously was a railroad corridor and not open for hunting. The Cities intend to develop the property into a non-motorized trail. Neither past nor intended future uses include hunting.

Other _____

Prohibition or Restriction Necessary to Protect Public Safety: Yes No

TRAPPING		
Location	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Upland	None	Per state regulations
Water	None	Per state regulations
Public Safety Team Narrative:		
<input 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 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

FISHING		
Method	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Shore	None	Per state regulations
Boat	None	Per state regulations
Public Safety Team Narrative:		
<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	Per standard City park operations
Off-Trail	None	Per standard City park operations

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	Per standard City park operations
On-Trail (un-groomed)	None	Per standard City park operations
On-Trail (groomed)	None	Per standard City park operations

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