



## 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

  
 Nick Webster  
 Regional Recreational Safety Warden  
 Date 10/28/20

  
 Jeremy Plautz  
 Regional Warden Supervisor  
 Date 10/28/20

### PROJECT DESCRIPTION

Applicant/ Sponsor: City of Waterloo

Year of Application: 2020

Project Name:  
 Maunesha Trail Acquisition

Primary Purpose: ☐ Habitat Areas ☐ Local Parks  
☐ Natural Areas ☐ Urban Rivers  
☐ State Trails ☒ Urban Greenspace  
☐ Streambank Protection

#### Project Description:

The City of Waterloo has requested Stewardship Grant aid for the acquisition of 0.11-acre of riverfront property for a future trail connection from trailhead property (203 E. Madison Street) to City's Fireman's park. The parcel consists of two private lots which abut the river and residential lots on their opposite sides.

If acquired the City would develop the 0.11 acres as a public trail connection, and the parcels would also be available for river access, kayaking, fishing, nature study etc.

### FINDINGS OF FACT:

The City of Waterloo is looking for Stewardship funding for the purpose of acquiring 0.11 acres of property along the east shore of the Maunesha River. These two parcels totaling 0.11 acres are located north of a city owned lot at 203 East Madison Street, west of privately owned residences at 131 and 143 Mills Street and south of the old mill pond area, which is also city owned. The purpose of the acquisition is to connect an existing trail system with an area downtown as well as potentially offering a kayak launch.

These two parcels equate to a total area of roughly 40 feet wide by 120 feet long. The entire area is located within 300 feet of several private residences, as well as governmental buildings and businesses. Saint John's Lutheran School is well within 1,000 feet of the two parcels and Saint Joseph's School is within 1,700 feet of the property.

This proximity to the schools places the property boundaries within a designated "school zone". State law restricts the use and possession of firearms as well as hunting within these designated school zones. As such, there are no legal options for hunting these two parcels.

The SCR NBOA Public Safety Team has determined that the prohibition of hunting on this 0.11-acre parcel is necessary to insure compliance with current state hunting laws, firearm discharge laws, state school zone laws and the need to protect the public's safety.

It is noted this parcel will expand hiking, fishing, canoeing and kayaking access to the residents and tourists of the City of Waterloo area.

**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 0.11-acre parcel is vacant floodplain which abuts the Mauneshia River on the west and residential lots on its east, City owned land on the north and south. Cover type is primarily grasses and brush.*

## Proposed NBOA Prohibition or Restrictions

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

**Public Safety Team Narrative:**

The high density of residential homes, business' and schools in the vicinity of the proposed property would make legal hunting impossible.

These two lots, totaling 0.11 acre of riverfront property are located entirely within the city limits of Waterloo, within 300 feet of several buildings devoted to human occupancy. State law prohibits the discharge of a firearm within 300 feet of any building devoted to human occupancy while on lands that you do not own, without the permission of the owner or occupant.

State law also restricts both the possession and the discharge of firearms within 1,000 feet of school grounds as well as the hunting within 1,700 feet of any school grounds. This 0.11 acres is located entirely within 1,000 feet of St John Lutheran School and within 1,700 feet of St Joseph Grade School.

The City of Waterloo has an ordinance which states that "no person, except a law enforcement officer authorized by law to carry firearms, shall discharge any firearm within the city". Although the City of Waterloo allows bow hunting on private property, it does have an ordinance that states that "bow hunting is not allowed on public property."

The state law restrictions alone would eliminate the legal hunting on the entire 0.11 acres.

It is the opinion of SCR NBOA Public Safety Team the prohibition on all hunting is necessary to ensure compliance with current state firearm possession, firearm discharge and hunting laws. This will limit user conflict within the City and to ensure the safety of the public.

**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:  
 This is a parcel that is within 1000 feet of school grounds, 100 yards of residential homes and is located in downtown Waterloo. User conflicts would be excessive if hunting were permitted.

☐ Other \_\_\_\_\_

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

TRAPPING		
Location	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Upland	None	All
Water	None	All

**Public Safety Team Narrative:**

At this time, the city of Waterloo has no ordinances restricting the use of legal traps and legal trapping methods.

The parcels to be purchased are small, and together they total 0.11 acres. They are located in the area of downtown Waterloo. The parcels, if acquired by the City, would be developed into a public trail connection and available for activities such as river access, kayaking, fishing and nature study.

Though several trapping methods would be legal at this site, the property is located within 100 yards of several buildings devoted to human occupancy, which due to State regulations; restricts the setting, placing or operation of any body-gripping type trap greater than 60 square inches or any snare or cable restraint, within 100 yards of any building devoted to human occupancy without the owner's consent.

☐ No Water On Site

**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 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.

☐ Ordinance exists that prohibits trapping or some type of trapping.

☐ 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

FISHING		
Method	Prohibition/Restriction	List Dates/Seasons (opening and closing)
Shore	None	All
Boat	None	N/A

**Public Safety Team Narrative:**

☐ 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.

☒ 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	N/A
Off-Trail	None	N/A
Public Safety Team Narrative:		
<p><b>Public Safety Factors Considered:</b> Check all that apply.</p> <p><input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance</p> <p><input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.</p> <p><input checked="" type="checkbox"/> Parcel is adjacent to a public waterway.</p> <p><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:</p> <p><input type="checkbox"/> Other _____</p>		
Prohibition or Restriction Necessary to Protect Public Safety:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

CROSS COUNTRY SKIING		
Type of Trail	Prohibition/Restriction	List Dates (opening and closing)
Off-Trail (un-groomed)	None	N/A
On-Trail (un-groomed)	None	N/A
On-Trail (groomed)	None	N/A
Public Safety Team Narrative:		
<p><b>Public Safety Factors Considered:</b> Check all that apply.</p> <p><input type="checkbox"/> Parcel is subjected to a non-sponsor ordinance</p> <p><input type="checkbox"/> Parcel is adjacent to a parcel where the NBOA's to be prohibited already exists.</p> <p><input checked="" type="checkbox"/> Parcel is adjacent to a public waterway.</p> <p><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:</p> <p><input type="checkbox"/> Other _____</p>		
Prohibition or Restriction Necessary to Protect Public Safety:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

