



## DNR Staff Analysis of Nature Based Outdoor Activities on Projects Purchased with Stewardship Grant Funds

Rev. Sep 2009

**NOTE TO DNR STAFF:** *This completed form will be attached to the WEPA+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. In "Staff Narrative" sections below each NBOA, summarize sponsor's reason for prohibition based on the 3 allowable exceptions.*

**Applicant/ Sponsor:** Waukesha County

**Year of Application:** 2010

**Project Name and Primary Purpose (after acquisition):** Menomonee Park Expansion; nature-based outdoor recreation

**Project Description:** See WEPA Notice

**Plan(s) or Reports Identifying Project Area as Priority:**  
Waukesha County Park and Open Space Plan

### Proposed NBOA – Applicant Narrative and Checklist

HUNTING			
<p><b>DNR Staff Narrative:</b> The sponsor is not proposing any hunting prohibitions. However, there are nearby residences, and the Village of Menomonee Falls prohibits the discharge of firearms "within 500 feet of any building, public street, road or highway, nor shall the shot propelled by the discharge be permitted to pass upon...public grounds (Sec. 62-91(2)." S.941.20 (1)(d) Wis. Stats. also prohibits the discharge of a firearm within 100 yards of a "building devoted to human occupancy." The Village of Menomonee Falls also prohibits the use of a bow and arrow "within 300 feet of any building" or in "Any public park, public land or public ground (Sec. 62-91(3)(c) and (f)(2)." In addition, Waukesha County Ordinance, Sec 14-156 Weapons and Fires, prohibits hunting within any park and is currently in affect on all park property. The subject property is an in-holding within a larger 400-acre park where hunting is prohibited. Allowing hunting on an in-holding of this park would create confusion among the public and potentially create significant enforcement burdens. Therefore neither bow nor gun hunting can be allowed. . Please see the Department's initial assessment of the NBOA prohibitions conducted by the local recreation safety warden. Pursuant to s. NR 52.05 (1)(a), Wis. Adm. Code.</p>			
Categories	Allowable species (Gun)	Allowable species (bow)	List Dates/Seasons (opening and closing)
Waterfowl	None	None	N/A
Small Game	None	None	N/A
Turkey	None	None	N/A
Large Game	None	None	N/A

TRAPPING		
<p><b>DNR Staff Narrative:</b> The sponsor is not proposing any prohibition for trapping.</p>		
Location	Allowable Species	List Dates/Seasons (opening and closing)
Upland	Per state regulations	Per state regulations
Water	No water on property	N/A

<b>FISHING</b>		
<b>DNR Staff Narrative:</b> There is no water on the property.		
<b>Method</b>	<b>Allowable Activities</b>	<b>List Dates/Seasons (opening and closing)</b>
Shore	N/A	N/A
Boat	N/A	N/A

<b>HIKING</b>		
<b>DNR Staff Narrative:</b> Hiking is allowed. Future trails are proposed.		
<b>Location</b>	<b>Allowable Activities</b>	<b>List Dates (opening and closing)</b>
On-Trail	No (Future trails are proposed.)	Throughout the year
Off-Trail	yes	Throughout the year

<b>CROSS COUNTRY SKIING</b>		
<b>DNR Staff Narrative:</b> Cross country skiing off trail or on un-groomed trails is allowed.		
<b>Type of Trail</b>	<b>Allowable Activities</b>	<b>List Dates (opening and closing)</b>
Off-Trail (un-groomed)	Yes	Winter
On-Trail (un-groomed)	Yes	Winter
On-Trail (groomed)	No	Winter

DATE: December 10, 2010 FILE REF: Stewardship Application  
TO: Daniel Kaemmerer, SER Financial Assistance Specialist  
FROM: John Bronikowski, SER Recreational Safety Warden  
SUBJECT: Stewardship Grant Application NBOA Review – Best Property, Waukesha County

I have completed my review of the “Public Access and Acceptable Uses” document as a part of the Knowles-Nelson Stewardship Grant application submitted by the Waukesha County Parks for the proposed acquisition of 70 acres of land known as the ‘Best Property’ in the village of Menomonee Falls. Following are my comments and recommendations regarding the Nature Based Outdoor Activities (NBOA) which would be prohibited for public safety reasons on this property:

**Hunting** – It is my professional opinion that the Waukesha County ordinance prohibiting hunting within a county park, which would also apply to this parcel and the Village of Menomonee Falls ordinances which prohibit hunting and the discharge of firearms are appropriate to further public safety. This parcel is an addition to an existing 400 acre county park where there is camping, hiking, and other intensive park uses. Because of the parcel’s proximity to a high recreational use setting, prohibiting hunting will further public safety. I find this prohibition of hunting to be consistent with their authority to provide safeguards of persons and property, which is consistent with other municipalities throughout Wisconsin.

**Trapping** – It is my professional opinion that the proposed prohibition of trapping is not necessary to protect public safety. I recommend that the Waukesha County Parks provide trapping opportunities for this parcel. Trapping is an outdoor activity that could be conducted safely in the undeveloped nature of this parcel, even if it is by permit only. Waukesha County Parks has verbally agreed to allow trapping by permit on this parcel. They already have a trapping by permit process that they use on other county parks. If that change is added to their application there are in compliance with NR 52.

Approved Kevin Mickelberg, SER Regional Warden:



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