

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

Date: November 16, 1984

File Ref: 8700/2500

To: D.L. Weizenicker - P&R/4

From: Ed Trecker 

Subject: Kohler Corporation Access Desires

Too often in our zeal to accomplish some other worthy objective we may forget laws and procedures which have been established to protect the public interest. We don't do this out of malice--we simply forget these because we don't deal with them very often. One of these situations is LAWCON 6(f).

Basically, LAWCON 6(f) was put into law to protect park and recreation agencies from raids on their lands for nonrecreational purposes, such as roads, prisons, etc. It prohibits conversion without replacement.

Attached is a request from the Kohler Company (through an agent) for a road easement on the north side of J. Michael Kohler State Park. Also attached is an opinion from our district community relations specialist stating that the action desired by the Kohler Company is a LAWCON 6(f) situation.

In my opinion, the other Kohler Company desires for access across state park lands into their holdings on the lake is also a 6(f) situation. You have the files on this and may wish to check with Pete Jensen to see if I'm correct.

If we are, in fact, dealing in a situation with Federal LAWCON 6(f) protection it may change our bargaining position.

bg

Attach.

c: John Young - Kohler Andrae

YES

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

Date: November 13, 1984

File Ref: 8700

To: Ed Trecker

From: Tom Blotz



Subject: Kohler Andrae Private Access Easement

My review of the proposed easement request indicates it would violate Section 6(f) of the Land and Water Conservation Fund Act (LAWCON). The LAWCON fund was used to develop a portion of the park. Once LAWCON funds are used in a park the entire park is then subject to the rules of the LAWCON program. Section 6(f) of the program prohibits the conversion of outdoor recreation areas to other than public outdoor recreation use. The granting of an easement for roadway purposes is a definite conversion.

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