

**STATEMENT
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BEFORE THE
SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS
COMMITTEE ON ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
OCTOBER 29, 2009**

CONCERNING

**H.R. 129, THE CONVEYANCE OF LANDS
IN THE LOS PADRES NATIONAL FOREST TO THE WHITE LOTUS
FOUNDATION**

Mr. Chairman, Ranking Member Barrasso, and Members of the Subcommittee, I appreciate the opportunity to appear before you today to provide the Department's views on H.R. 129, regarding conveyance with consideration of National Forest System lands located in the Los Padres National Forest.

This legislation would authorize the Secretary to convey, subject to valid existing rights with consideration, all right, title, and interest in National Forest System land up to 5 acres within the Los Padres National Forest located in Santa Barbara County, California. The Department appreciates this Committee's efforts to resolve this issue; however, we do not support H.R. 129 because there would be limited benefit to the public from this conveyance. This legislation would serve only a small, select group of citizens, the White Lotus Foundation. In addition, the conveyance would legitimize the Foundation's long-standing encroachments on lands in the Los Padres National Forest by allowing the Foundation to acquire them through legislation for the Foundation's private use and enjoyment.

Adjacent landowners with similar long-standing encroachments on National Forest System lands in the Los Padres National Forest would not receive a remedy. These landowners are following H.R. 129 with interest, as the model for resolving their encroachment cases. Resolving the White Lotus Foundation encroachments through H.R. 129 would therefore set a precedent for resolution of other encroachment cases through case-specific legislation.

Mr. Chairman and Members of the Subcommittee, this concludes my prepared statement. I am happy to answer any questions that you or Members of the Committee may have.