

**STATEMENT OF
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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS
MAY 14, 2009**

CONCERNING

**H.R. 129 REGARDING CONVEYANCE OF LANDS
IN THE LOS PADRES NATIONAL FOREST**

Mr. Chairman, Ranking Member Bishop, 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, with consideration, all right, title, and interest in 5 acres of land 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.

There are other landowners in the area with encroachments on federal lands in the Los Padres National Forest. These landowners are following H.R. 129 with interest, as a 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.

In addition, H.R. 129 does not provide for the White Lotus Foundation to assume the cost of conducting the environmental analysis for the conveyance pursuant to the National Environmental Policy Act. Therefore, the Forest Service would have to assume that cost, as well as costs for title work and signage, mapping, and boundary marker changes. In addition, addressing the encroachment issue legislatively could set a precedent and undercut the Forest Service's ability to address future encroachments of National Forest System lands.

H. R. 129 Los Padres conveyance with consideration

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.