



TESTIMONY

ON

H.R. 4580

**TO REMOVE CERTAIN RESTRICTIONS ON THE MAMMOTH COMMUNITY
WATER DISTRICT'S ABILITY TO USE CERTAIN PROPERTY ACQUIRED
BY THAT DISTRICT FROM THE UNITED STATES.**

PRESENTED TO

**SUBCOMMITTEE ON WATER AND POWER
COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.**

SUBMITTED BY:

**MR. GARY SISSON
GENERAL MANAGER
MAMMOTH COMMUNITY WATER DISTRICT
MAMMOTH LAKES, CALIFORNIA**

SEPTEMBER 22, 2004

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Chairman Calvert and members of the Subcommittee, I am Gary Sisson, General Manager of the Mammoth Community Water District. The District is located in the Eastern Sierra Nevada Mountains in Mono County, California. We provide drinking water supply and wastewater treatment services to the Town of Mammoth Lakes, which is a resort community that attracts over 35,000 visitors per day to enjoy skiing and snowboarding at the world renown Mammoth Mountain Ski Area during the winter, and backpacking, climbing, and fishing during the summer months.

On behalf of the District and the residents we serve, we are very grateful for the Subcommittee's willingness to hold today's hearing on H.R. 4580. I also want to express our public appreciation to Representative McKeon who sponsored H.R. 4580.

H.R. 4580 addresses an unintentional consequence of existing law as it relates to real property that the federal government transferred to our community several years ago. As introduced, the legislation provides our community with the ability to better utilize lands that have remained under utilized over several years because of advances in the way in which our community treats wastewater flows. Essentially, H.R. 4580 would remove certain restrictions on the Mammoth Community Water District's ability to use property we acquired from the federal government.

Under H.R. 4580, the District is seeking authority to allow specified land patented to the Mammoth County Water District in Mono County, California, to be used for alternative purposes from those that were in existence at the time of land conveyance. This is an important bill since the geography of our area limits the way we can accommodate drinking water and wastewater infrastructure. The fact that this land has remained underutilized because of technological advances offers our community the chance to address future unmet needs.

The issue that requires this subcommittee's attention and action is a function of the law that allowed the original conveyance of the federal lands to the District. I will attempt to summarize the circumstances of the law and where we are today in our planning efforts to better utilize the property.

In 1987, the Mammoth Community Water District (formerly Mammoth County Water District) acquired 25 acres from the U.S. Forest Service under Public Law 90-171. The District had occupied these lands for many years prior to the conveyance through a special use permit. The District used the lands for two primary purposes; its administrative offices and its wastewater treatment operations.

Under the terms of the conveyance, Public Law 90-171, the transfer was conditioned in that the lands could be used only for the purposes for which they were being used prior to the time of the conveyance. Of the 25 acres acquired by the District, the District continues to use approximately 13 acres for its offices and wastewater treatment facilities. The remaining 12 acres were used for the storage of materials and oxidation ponds related to wastewater treatment. However, these activities are no longer necessary for the District or the community at large.

As a consequence of the conditions imposed by federal law, the District is unable to utilize the 12 acres for other purposes that are needed by the District and the Mammoth Lakes community, such as a light industrial park. The proposed change in use of the property enjoys community support. The area in question is within the existing city limits and would not affect the outlying area. Prior to the actual construction of any industrial park, an environmental impact review would be conducted to ensure compliance with appropriate mandates. I include an aerial photograph (*Attachment A*) of the aforementioned acreage to provide the subcommittee with a visual representation of the importance of providing this change in use. I request that the document be made part of the hearing record.

H.R. 4580 removes an impediment to the District's ability to use the property to meet its current and future needs and those of the Mammoth Lakes community which it serves. Again, we are grateful for the subcommittee's consideration of this important legislation and we are hopeful that in the remaining time of the 108th Congress that final passage of H.R. 4580 will occur.

Again, thank you Mr. Chairman, I would be happy to answer any questions you or the other members may have at this time.