

NATIONAL  
SKI AREAS  
ASSOCIATION



November 14, 2013

Chairman McClintock  
Water and Power Subcommittee  
Congressman Scott Tipton  
Via Email

**Re: Support for H.R. 3189**

Gentlemen:

I am writing from the National Ski Areas Association (NSAA) and our ski area members to express the importance of H.R. 3189 to the ski industry. As you know, NSAA represents 90 percent of the ski industry nationally, including 121 member ski areas that operate on National Forest System lands under a special use permit from the U.S. Forest Service. These 121 public land resorts accommodate the majority of skier visits in the U.S. and span 13 states. All 121 of NSAA's public land ski area members strongly support H.R. 3189.

The agency's announcement yesterday of a change in its water policy was well received by the ski industry. We were pleased to see this significant change in Forest Service policy and applaud the agency's leadership on this important issue for ski areas. Ski areas have invested a great deal in water rights, and we rely on these water rights to bring our guests an alpine recreation experience unmatched anywhere in the world. This decision will benefit the millions of people who visit ski areas on the National Forests, and it will also benefit the rural communities in which resorts are located.

Despite this announced change in policy, we still need Congress to pass the Water Rights Protection Act. **The policy change announced by the agency this week is the fourth change in Forest Service water policy for ski areas in ten years.** These changes are disruptive, create uncertainty and adversely impact our operations, planning and future growth. The ski industry can't afford to be subjected to a different water policy with each Administration. Only federal legislation can give us the long term protection we need of an outright statutory prohibition on the taking of our water rights by the federal government.

H.R. 3189 is complementary to the agency's efforts to develop a new policy. The new policy assumes that ski area water will no longer be taken by the U.S. government, but instead can be sold to a successive owner at fair market value. H.R. 3189 would not interfere with the implementation of this new policy, as it prohibits forced transfers of water rights "directly to the United States." The Water Rights Protection Act is essential because it would codify the

assumption that water will no longer be taken by the federal government without compensation, and thus provides a permanent foundation for Forest Service water policy going forward.

We urge the Committee to move forward with the mark up and passage of H.R. 3189. We look forward to continued dialogue with all stakeholders as the agency develops a new policy to address water resources for the future.

Best Regards,

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line and a loop, and a large, stylized 'B'.

Michael Berry  
President

cc: Representative Polis  
Representative Amodei  
Representative Bishop