

USFS buries plan on transfer of ski area water rights

By Jason Blevins, Denver Post

The U.S. Forest Service will not require ski resorts to transfer water rights to the federal government as a condition of operating on public land. Instead, the agency will require ski areas to prove there is enough water to sustain skiing for the future.

In 2011, the Forest Service, which oversees 122 ski areas that count 23 million visits a year, proposed a clause in its permitting process that would require ski resorts to transfer water rights to the federal government.

The Forest Service had argued that the clause would assure the water would never be separated from the land. The agency feared that as the value of water rights climbs in the arid West, ski areas might see more economic benefit in selling water rights than in using the water for snowmaking and ski operations. The National Ski Areas Association sued the Forest Service in January 2012 over what it called an illegal taking of private property.

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