

**Testimony of Fred Ruskin
Yavapai Ranch Limited Partnership
Before the
U.S. House of Representatives Subcommittee on Forests and Forest 'Health
Concerning
H.R. 5513 – the Yavapai Ranch Land Exchange Act of 2002
October 10, 2002**

Chairman McInnis and Members of the Subcommittee,

My name is Fred Ruskin and my family owns the Yavapai Ranch. Ours is a family owned business, which I have personally run since my dad died in 1981. We don't own other investments, other businesses, a Keogh plan, lots of stocks—just this ranch.

As you can see from the "existing land ownership" map attached at the end of my testimony, the Yavapai Ranch contains approximately 50,000 acres of our private land, intermingled with 50,000 acres of the Prescott National Forest in a "checkerboard" ownership pattern. All the white squares inside the heavy black line on the map is our land, whereas the green land belongs to the Forest Service. The 6 sections you see in yellow are owned by outside interests. The second map shows proposed land ownership after the trade. The three white inclusions are already developed parcels, one of which I live on.

As I said, the Yavapai Ranch lands represent my family's only financial asset. It has been obvious for some time that it was not feasible to tie up this increasingly valuable piece of land just to run cattle on it. The recent severe drought in Arizona have made the cattle business even less attractive, while the growth of the surrounding area has made the ranch even more desirable for development. We now have land on two sides of the ranch being subdivided, and what will be the largest development in Northern Arizona is planned for the third side.

We have been discussing an exchange with the Forest Service for a long time. I have been working on this exchange for six years, and working virtually full time on it for the last three years.

I am here today to seek your assistance with our land exchange, because the Forest Service has indicated to us, and to Congressmen Hayworth and Stump, that it will take 7-8 years... I repeat, 7-8 years... to finish an exchange by administrative means. That is probably optimistic; it has been taking the Forest Service almost that long to do a fifty acre exchanges in Arizona—this is a fifty-five thousand acre exchange. My family simply cannot continue to commit time and resources to a process that might not ever happen. And virtually all of the large checkerboard or intermingled land exchanges that have been done by the Forest Service in the past have been legislated by Congress...even for such large landowners as Plum Creek Timber, Burlington Northern, Big Sky Lumber, Weyerhaeuser, and Potlatch. So for these reasons we need your help.

Mr. Chairman, in the exchange that is before you today in H.R. 5513, we will trade 35,000 acres, or almost 70% of the land we own, to the Forest Service. From an ecological and recreational

standpoint, that 35,000 acres is the most desirable part of the ranch because:

- it contains all the ponderosa pine forest on the ranch...which is the largest ponderosa pine forest still remaining in private ownership in Arizona;
- it has one of the last untouched valleys in our area providing quality antelope range, which the Arizona Department of Game and Fish strongly advocates for public ownership;
- It is located immediately adjacent to the existing Juniper Mesa Wilderness Area, which was established by Congress in 1984;
- It lies at higher elevation, and therefore, provides better opportunities for public recreation in the hot summer months; and
- it will reduce the developable land base in the Verde River watershed by roughly 25,000 acres, which would be a major protection for this most important, free flowing river.

In return for the 35,000 acres we will convey to the Forest Service, we will receive 15,300 acres of lower elevation lands near our ranch headquarters and outlying buildings, plus approximately 5,900 acres in or near the communities of Williams, Flagstaff, Cottonwood, Clarkdale, Camp Verde and Prescott.

More than half of the acreage we receive in those communities will not be retained by us. Rather, these areas will instead be re-conveyed, either to municipal governments for airport, water, and sewer facilities, recreation, park, open space or other public uses, or to the children's summer camps that currently use these areas. All of these communities and summer camps have repeatedly stated their need for the exchange to be completed in the near future...not in 7-8 years.

Both we and the Forest Service concur that the so-called "pass-through" conveyances of H.R. 5513 are an excellent way for the Forest Service to acquire as much of our family's land as possible in trade for Forest Service land that is of lesser value to the general public because it is already occupied by airports, water treatment plants, summer camps and the like. All National Forest land has value to the public, but it does not all have equal value. This is for the public the most obviously beneficial trade imaginable: The Forest is acquiring pristine forest and meadows in exchange for land around cities that is already heavily impacted by use and/or location.

My final point, Mr. Chairman, is that this exchange has been, and will continue to be, a cooperative venture with the Forest Service. Before this exchange is completed, we will perform: 1) formal appraisals in full compliance with the U.S. Department of Justice standards that were just revised in 2000; 2) all required threatened and endangered species, cultural and historic resource, hazardous materials, and wetlands and floodplains analyses; and 3) traditional title reviews and analyses, which must be approved by the Forest Service. In addition, if the Forest Service determines that it cannot give us certain lands because they have values protected by Federal law that cannot be mitigated, such as T&E species, or uncommon cultural artifacts or sites, the lands in question will drop out of the exchange. So, there is no danger that the United States will lose lands with unique resources. And, as I have already mentioned, we, the Forest Service, and the Arizona Department of Fish and Game believe that the lands the Forest Service will acquire have much better environmental and recreational values than the lands the Forest Service will give up. Finally, as

requested by several conservation organizations, the bill contains language in Section 7 to insure that the land acquired by the Forest Service will be permanently managed to maintain its existing natural character and values

We have put together a very broad coalition supporting this trade. We now have the support of every city that is a part of the trade, all of the local chambers of commerce, The Arizona Department of Game and Fish, many hunter and sportsmen groups, and many influential environmental leaders in Northern Arizona.

Mr. Chairman, thank you for scheduling this hearing on a matter that is of utmost importance to my family, and to the people and communities of Arizona. I wish that the economics of ranching were better than they are, that Arizona had not grown as it has, and that we could have afforded to maintain the status quo...but that is not the reality of the situation today. So, I believe this exchange is in the best interest not only of my family but also of the land and people of Arizona.

More than twenty five years ago my father promised the Forest Service that he would give them an opportunity to do a land exchange before he developed the land on our ranch. This is that opportunity.

That concludes my testimony. I will be happy to answer any questions the Subcommittee might have.