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Arizona land swap dogged by questions

by Anne Minard

Yavapai Ranch Land Exchange called a bad deal for public, spur for sprawl

FLAGSTAFF, ARIZONA — In the early 1990s, Fred Ruskin, an anesthesiologist and pediatrician with a practice near Phoenix, Ariz., began to work with officials on the Prescott National Forest on what could be the largest — and the most controversial — public-for-private land swap in Arizona in 50 years. Together, they carved 35,000 acres out of Ruskin's 50,000-acre Yavapai Ranch in west-central Arizona for the Forest Service. In return, the Forest Service agreed to give Ruskin 15,000 acres of federal land within his remaining ranch, along with chunks of developable land on the outskirts of Flagstaff, Williams, Camp Verde, Clarkdale and Cottonwood.

While the deal is not yet complete, Ruskin is already promising favors to the cities involved: He would sell about 750 acres to Flagstaff for a second airport runway, office buildings and a park near the airport — all of which are compatible with a voter-approved regional plan. He would also sell 970 acres to Williams, where officials plan to drill water wells.

Dennis Wells, the Williams city manager and a former state land commissioner, says much is at stake. If the trade doesn't happen, "We would lose several really promising sites for drilling water wells ... a site for the expansion of our water treatment plant ... (and) we would not obtain land for the expansion of our cemetery and several parks around town."

The swap will also open more land for development: Ruskin plans to develop 750 acres near Flagstaff, and hopes to build a shopping center on 2,200 acres near Interstate 17 at Camp Verde.

Opponents of the exchange worry that a spike in new development could strain water supplies. "In the Camp Verde area alone, there are already thousands of acres of private land that remain undeveloped," says Tony Gioia, a Camp Verde town councilman. "We are faced with a crisis over ensuring sustainable growth on the existing land base, and this project would only exacerbate that difficulty."

Many residents say they've been left out of the loop, and environmental groups, such as the Sierra Club and the Northern Arizona Audubon Society, are apprehensive about the deal's lack of oversight. Rather than subjecting the Yavapai Ranch trade to the public scrutiny and

environmental review that accompany typical land swaps, Ruskin asked Arizona's Republican Sen. John McCain and Jon Kyl to push the exchange through Congress. Last spring, the duo introduced a bill that McCain predicted would have its day in Congress this month.

"The Forest Service did not choose a legislative trade," says Steve Sams, a spokesman for the Prescott National Forest. "That decision was made by the proponent of the land exchange." But Ruskin says he's not in charge of the deal, either: "This is the Forest Service's trade," he insists.

Janine Blaeloch, director of the Seattle-based Western Land Exchange Project, believes the public nearly always loses in these trades, but says that legislative trades are particularly frustrating. "This is a classic case. There's no recourse. You can't sue Congress for passing a law unless it's unconstitutional," she says.

But Sen. McCain may be rethinking his support of the bill. Last December, he hosted two public meetings in Flagstaff and Camp Verde — and he faced off against boisterous, packed houses in both towns. Now, members of his staff say it's unclear whether the congressman will continue to push the bill.

"The Forest Service made it sound as though it could be done a lot quicker," complains Fred Ruskin. "It's been a comedy of errors. Everything that could go wrong, went wrong." Now, in order to hasten the process, Ruskin is threatening to develop the parcels of his land promised to the Forest Service.

The author writes from Flagstaff, Arizona.

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