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HASKELL, JONES, AND §
SHACKELFORD COUNTIES, TEXAS § ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY OF ERIC SWENSON, JR.
ON BEHALF OF THE SWENSON FAMILY INTERVENORS

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18 DIRECT TESTIMONY OF ERIC SWENSON, JR.
19
20

21 I. INTRODUCTION
22

23 Q: PLEASE STATE YOUR NAME
24

25 A: My name is Eric Swenson, Jr.
26

27 Q: ARE YOU AN INTERVENOR IN THIS DOCKET?
28

29 A: Yes, I am.
30

31 Q: IS THE INFORMATION CONTAINED IN YOUR TESTIMONY TRUE AND
32 CORRECT TO THE BEST OF YOUR KNOWLEDGE AND BELIEF?
33

34 A: Yes, it is.
35

36 II. PURPOSE AND SCOPE OF TESTIMONY
37

38 Q: WHAT IS THE PURPOSE AND SCOPE OF YOUR TESTIMONY?
39

40 A: The purpose of my testimony is to describe the Swenson Family and our historic
41 River Place Ranch in Shackelford County. That Ranch is comprised of tracts designated
42 as SH-023 and SH-024 by ETT in this case.

43 Our Ranch would be crossed by proposed links C7, C8, and C9 in the Clear
44 Crossing to Central C segment of the proposed line in this docket. The Swenson Family
45 is strongly opposed to the use of those links over our ranch.
46

1 Q: WHO ARE THE MEMBERS OF THE SWENSON FAMILY?

2
3 A: Today, the Swenson Family members owning the River Place Ranch are Eric
4 Swenson, Jr., Trustee for John E. Swenson Trust, J. Emery Swenson Trust, and Kristen
5 Swenson Cockrum Trust, Linda Swenson, J.E. Swenson, John Eric Swenson, III, Kristen
6 Swenson Cockrum, and J. Emery Swenson. Our family's roots in Shackelford County go
7 back to the 1890's.
8

9 III. THE SWENSON RIVER PLACE RANCH

10
11 Q: PLEASE DESCRIBE THE HISTORY OF THE SWENSON RIVER PLACE RANCH.
12

13 A: My grandfather, Andrew Johan Swenson, immigrated to Texas from Sweden in
14 1882 and settled originally in Jones County, Texas. Sometime after 1892 the family
15 relocated to Shackelford County on land along the Clear Fork of the Brazos River which
16 included our River Place Ranch. The River Place was home for my grandfather and my
17 grandmother, Selma, for many years until they moved to Stamford, Texas.

18 This property where they lived is located on a beautiful segment of the Clear Fork
19 of the Brazos River. It sustained him, my grandmother, and their five sons, one of whom
20 was my father Eric. This land became known in the family as the "River Place," and we
21 refer to it as such today. The River Place was part of a larger Swedish settlement known
22 as Ericksdahl that was established in the 1880s and 1890s. The River Place was the site
23 of many early day Swedish social gatherings.

24 My father Eric and my mother, Edith, lived on the River Place during the
25 depression. Times were difficult, but they survived by raising pigs and cattle together
26 with the produce from their garden. There were times when my father almost lost the
27 land, but through great sacrifice, he was able to hold on.

28 My older brother John was an "island hopper" with the U.S. Army Infantry in the
29 South Pacific during World War II. He returned home emotionally scarred, a condition
30 from which he never recovered. The River Place became his sanctuary, and he lived there
31 until his death in 2000.

32 My father died in 1970 and by this time the River Place was owned by me, my
33 brothers, my sister, and numerous cousins. It was my hope that I could purchase the
34 interest of the other owners and someday restore the River Place to the original acreage
35 owned by grandfather. It took me from 1970 to July 2006 to accomplish this goal. I had
36 to borrow the money for each of these purchases and repayment was often difficult.
37 During this time, I had my three children enrolled in college, and sometimes they had to
38 make sacrifices and do without things that other kids enjoyed so that we could make
39 payments on the land. They always did so cheerfully. They were as dedicated as I was to
40 restoring the River Place, and I will always be grateful to them for their commitment.
41 Likewise my wife was actively involved in reacquiring the River Place and has been
42 supportive of my efforts. I'm growing older, but my children understand there have been
43 sacrifices and hardships required through the generations to keep the River Place in the
44 family. They realize they have been given a sacred trust, and they are committed to
45 preserving and protecting the River Place, which is interwoven into the very fabric of our
46 family's history.

1
2 Q: PLEASE DESCRIBE HOW THE SWENSON FAMILY HAS USED AND
3 MAINTAINED THE PROPERTY OVER THE YEARS?
4

5 A: This property remains largely undeveloped. We have constructed perimeter
6 fences to prevent the straying of livestock and interior fences to promote rotational
7 grazing. There are enough roads to allow us access to check on the cattle. There is one set
8 of cattle working pens and a small 1800 sq. ft. house. During the depression my father
9 cleared the rocks from three areas to create cultivatable fields. We have planted native
10 grasses on two of these fields and have restored them to their original condition. The
11 remaining field is used to plant food plots for cattle and wildlife. We have been mostly
12 successful in resisting encroachment from outside sources except for a small transmission
13 line built many years ago.

14 Lueders limestone is a high quality, hard limestone that exists at and near the
15 surface in this part of Shackelford County. It is desired as a high quality building stone
16 and is quarried on many of our neighbors' land. The income from the sale of this stone is
17 in some cases very lucrative. We have been approached numerous times through the
18 years to allow quarrying on our property. The limestone is near the surface and outcrops
19 in many places where the proposed Line C-8 is located. It is very hard and dense
20 Limestone and therefore desirable as a building material. It creates a lot of grief for fence
21 builders or for anyone attempting to penetrate the surface.

22 We have steadfastly refused to allow anyone to quarry on our property although it
23 would have generated a sizeable income. Quarrying plows a scar on the land that would
24 take generations to remove. Scarring the land and the attendant adverse impact on the
25 environment is a poor exchange for money. Two of the original River Place tracts I
26 repurchased from other family members had old quarries and I sold the portion of those
27 properties where the quarries were located. I'll not be a party to raping the land.

28 Likewise some ranches nearby have allowed wind turbines to be installed on their
29 land. My family supports wind energy as a means of reducing carbon emissions, but the
30 Clear Fork River Valley is a very delicate eco system. Although we understand that the
31 turbines could make us a sizeable amount of money, we think they could be placed more
32 strategically elsewhere, so that they would not have such a dramatic adverse impact on
33 the environment. It is due in no small part because to our sense of family history and duty
34 to protect our land that we have rejected all wind farm development.

35 Beginning in the 1940's under my father's management, we have devoutly
36 attempted to protect this delicate environment. I suppose my father was a "tree hugger"
37 before the term "tree hugger" was ever coined.. This is a sacred trust which he passed on
38 to me and which I have impressed on my three children. The construction of this
39 transmission line will have an adverse impact on our land. This is diametrically opposed
40 to our concerted effort to preserve this property in its wildest most pristine condition.
41 While this land is not totally in its original pristine condition, it is as close as we can
42 possibly make it. The transmission line would clearly destroy what we have sought to
43 achieve over the past 70 years. My father said that this land provided for my grandfather
44 and grandmother when they came to this country as immigrants from Sweden. He said
45 that it sustained him and my mother through the depression. He said that this land has

1 taken care of this family through the years and that, "By God, we have a responsibility to
2 preserve and protect this land."

3
4 Q: PLEASE DESCRIBE THE TOPOGRAPHY AND OTHER PHYSICAL FEATURES OF
5 THE RANCH.
6

7 A: Most of the Ranch is comprised of rough, broken land with deep canyons that run
8 into the Clear Fork of the Brazos River. There are a few "flats" along the edge of the
9 river. There are a few mesas that overlook the river valley. Most of the property is
10 covered in limestone outcroppings and generally shallow soil. The Clear Fork of the
11 Brazos winds its way from west to east for approximately four miles through the
12 property. The upper slopes are covered with Mesquite, Skunkbush, Shinoak, and
13 Lotebush among other woody plants. The river bottoms are covered mainly by Native
14 Pecan trees and Elms of various kinds. We have some limited cattle grazing but the best
15 use of the land is for recreation purposes.
16

17
18 Q: PLEASE DESCRIBE THE RANCH'S WILDLIFE HABITAT.
19

20 A: For many years, my family has been dedicated to preserving the delicate
21 ecosystem that surrounds the Clear Fork of the Brazos River. Approximately four miles
22 of the Clear Fork runs through the 1800 plus acres that comprise the River Place.
23 According to the Texas Parks and Wildlife Department's Annotated County List of Rare
24 Species for Shackelford County (2009), there are a total of 28 rare species which occur
25 within the site where the proposed C-7 and C8 sections of the transmission line would
26 cross the Clear Fork of the Brazos River on my property. This includes 2 reptiles, 14
27 birds, 7 mammals, 2 fish, and 3 mollusk species. Additionally, the Brazos Water Snake
28 (*Nerodia Harteri*), whose habitat exists on a small section of the Clear Fork of the Brazos
29 River, is known to thrive at this site. This is a very rugged and pristine section of the
30 Clear Fork of the Brazos River. Because this area of the river is more remote and
31 because we have attempted to protect it from frequent human intrusion, you would expect
32 the riparian wildlife community adjoining the river in this section to be both more diverse
33 and more abundant than in the upstream sections of the river.
34

35 We have a very limited cattle grazing program which is designed to enhance the
36 wildlife habitat. We strictly prohibit the use of any herbicide, pesticide, or other farm
37 chemicals that would have an adverse impact on the environment.

38 Q: WHAT IS THE QUAIL TECH PROGRAM AND YOUR PARTICIPATION?
39

40 A: In 2010 we were one of the founding members of the Quail-Tech Alliance
41 Research Program. We joined and entered into a cooperative effort with certain other
42 ranchers in north-central Texas to promote research regarding Bob White and Blue Scale
43 Quail. This research is conducted in conjunction with Texas Tech University and is
44 privately funded by the precipitating members. The River Place is the Anchor Ranch for
45 Shackelford County for this research program. Until the mid 1980's, this area was the
46 epicenter for quail production. Since that time, we have (with the exception of a few

1 years) seen a steady decline in quail population. We have been unable to explain this
2 decline. This research program is designed to first identify those factors that have
3 contributed to this decline and then hopefully reverse this trend. Because of the Brazos
4 River environment, this land is uniquely suited to study the biotic factors of quail. Dr.
5 Brad Dabbert, Associate Chairman of the Department of Natural Resources Management
6 at Texas Tech University manages this research team. Dr. Dabbert has provided his
7 conclusions about the negative impact this line will have on the quail population and the
8 ongoing research on the River Place Ranch in a letter that is attached to his testimony
9 filed in this Docket.

10
11 Q: YOU MENTIONED AN EXISTING TRANSMISSION LINE ACROSS YOUR
12 PROPERTY, HOW WOULD RUNNING THE PROPOSED LINE IN THIS CASE
13 ALONG THAT EXISTING LINE AFFECT YOU.
14

15 A: Much of the proposed transmission line DOES NOT run along this existing
16 transmission line. Both Sections C-7 and C-9 are located on heretofore undisturbed land.
17 There is NO existing transmission line paralleling either Section C-7 or Section C-9.
18 Sections C-7 and Section C9 will place a transmission line where formerly there was
19 none. The existing transmission line is a double wooden pole 138KV transmission line.
20 In places these lines are virtually obscured by the river bottom Pecan trees. The right of
21 way has grown up with underbrush which prevents predators from using these lines as
22 places to prey upon Quail. The proposed line will not be obscured by trees and will be
23 visible from long distances. Much of the proposed transmission line will be located in
24 areas of heavy limestone outcroppings.

25 It is well recognized that disturbing the shallow soil in an area of limestone outcroppings
26 causes excessive erosion and takes forever to heal the scar left by the soil disturbance.
27 There is no comparison between the existing transmission line and the proposed
28 transmission line since they will be largely located on different parcels of land. Likewise
29 there is no comparison between the lines both as to the aesthetic impact and as to the
30 adverse impact on the riparian environment and wildlife habitat.
31

32 Q: WHAT OTHER IMPACTS WILL THE PROPOSED LINE HAVE IF IT IS ROUTED
33 THROUGH THE RIVER PLACE RANCH?
34

35 A: The proposed transmission line will cross over the Clear Fork of the Brazos River
36 DIRECTLY at a spot that has been used as a campsite for cultures dating back as far as
37 possibly 5,000 years. It is located on a flat about fifteen feet above the river at a natural
38 river crossing and sits under a limestone bluff approximately eighty feet tall that breaks
39 the north wind in the winter. I remember this spot from the time I was about six years
40 old. The old Swedes (those who emigrated from Sweden) used to meet here under a
41 large Pecan tree, and I remember listening to the stories they told in their broken English.
42 My father and I camped at this site under this same Pecan tree from the time I was a child
43 until my dad's health would no longer allow for this activity. Link C-8 of the proposed
44 transmission line will pass directly over this site and Pecan tree. When I was about eight
45 I asked my dad how old he thought that Pecan tree might be. He said he didn't know but
46 that it was a very large tree in 1900. I asked how he could remember this particular tree.

1 He said that he and his younger brother, Willie Gustav, had left the homestead about a
2 mile up river and were playing along the river bank when they heard voices. Knowing
3 that no one should be there they looked through the bushes and saw two Indian men and a
4 few women and children. They were camped under the same large Pecan tree that I had
5 asked about. They hurried back to the house and their mother instructed them to stay in
6 the yard and not to go back to the river. My granddad was working in Stamford, Texas
7 some 20 miles away and was not due to return for a couple of days. The following day a
8 man arrived on horseback and inquired of my grandmother if she had seen any Indians.
9 She told him that her sons had told her about Indians about a mile down river. He said he
10 had been looking for them since they had walked off the reservation at Fort Sill,
11 Oklahoma. My dad said after a while the man returned and the Indians were following
12 him on foot. Dad said the Indians had gathered some Pecans and the man offered to give
13 them to my grandmother but she refused. Dad said he remembered watching them walk
14 up the lane away from the house. Dad said that is why he could remember this particular
15 Pecan tree. My sons and grandsons continue to camp with me under this same tree. In
16 1970 a group of my comrades from around the country began meeting here every
17 Memorial Day weekend. Last year marked our 40th year. The group has grown to about
18 60 because we have included our sons and grandsons. Even though some of our original
19 group have died many of their sons and grandsons continue to attend. On Sunday we
20 have a ceremony honoring our flag and our country, and share a few hugs and tears.

21 At this location the bank of the river has continued to erode through the years.
22 About ten years ago I was afraid that the Pecan tree which was located near to the river's
23 edge would wash into the river on a big rise. We drove pilings into the river bed and
24 river bank and attached chain link fencing to the pilings. We then filled the enclosure
25 with rocks and dirt. The structure has withstood several big river rises and I think we
26 saved the tree. The tree is getting old like me. It doesn't look like it did when I was a
27 boy. A lot of main limbs are broken but it still provides a nice shade and I am pleased to
28 know that in all likelihood it will survive me.

29 If the transmission line is placed on the River Place this is to respectfully request
30 that it not be placed over this area as it is now planned. Please place the line on my most
31 eastern property line instead of it going through the middle of this property and over this
32 place which holds so many memories for me, my comrades, and members of my family.

33 IV. CONCLUSION

34
35
36 Q: DOES THIS CONCLUDE YOUR TESTIMONY?

37
38 A: Yes.