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SENATE

{ REPORT
{ No. 1286

TO EXTEND THE BOUNDARIES OF THE GRAND TETON NATIONAL PARK IN THE STATE OF WYOMING

JUNE 6 (calendar day, JUNE 7), 1934.—Ordered to be printed

Mr. NYE, from the Committee on Public Lands and Surveys,
submitted the following

REPORT

[To accompany S. 3705]

The Committee on Public Lands and Surveys, to whom was referred the bill (S. 3705) to extend the boundaries of the Grand Teton National Park in the State of Wyoming, and for other purposes, having considered the same, report favorably thereon with the recommendation that the bill do pass.

NECESSITY AND PURPOSE OF THE LEGISLATION

Grand Teton National Park is in the Jackson's Hole section of Wyoming, south of Yellowstone National Park. The Jackson's Hole country is of great scenic beauty and is one of the best game sections of the United States, containing a herd of approximately 20,000 elk, 3,500 moose, as well as numerous other game animals. Teton National Park as established is of small area, including in its boundaries only the Teton Mountains and some lakes at their base. Several years ago Mr. John D. Rockefeller, Jr., actuated by a desire to preserve the scenic beauty of the country adjacent to Grand Teton National Park conceived the idea of purchasing private holdings within the area which he felt together with public lands should be added to this park. Through the Snake River Land Co., which he organized, there has been purchased at the cost of about \$1,500,000 approximately 30,000 acres of privately owned lands. Included in these purchases are improved ranches, tourist resorts, and what are commonly known as "dude ranches."

On most of the property purchased the improvements have been removed or destroyed, while on some ranches, where hay could be produced for the winter feeding of the elk herd, buildings have been preserved and the lands have been continued in production. Due to the fact there has been objection by residents in Jackson's Hole and

others to the park being extended, until this time legislation has not been introduced for the enlargement of Grand Teton National Park. The bill as drafted is the result of conferences between representatives of the State of Wyoming, including the Governor and congressional delegation, residents of Jackson's Hole, representatives of Mr. Rockefeller, the National Park Service, and the Forest Service.

PROVISIONS OF THIS ACT

Section 1: Defines the boundaries of the proposed extension making the area therein a part of Grand Teton National Park, subject to all laws and regulations now or hereafter made applicable thereto or for the government of said park, and subject to all valid existing claims, locations, entries, or applications under the laws of the United States or the State of Wyoming, whether for homestead, mineral, right-of-way, or any other purposes whatsoever, and subject to the right of any such claimant, locator, entryman, or applicant to the full use and enjoyment of his land or rights.

It further provides that nothing contained therein shall affect the rights of the Reclamation Service in connection with the Jackson Lake Reservoir but prohibits an increase in height of that reservoir without the express authority of Congress, while it authorizes the Secretary of the Interior to grant leases for the use of land for the accommodation of visitors as provided in the act entitled, "An act to establish a National Park Service, and for other purposes", it restricts the same to that portion of the park lying south of the southern boundary of township 42 north, sixth principal meridian. There is a provision that any lease covering any property acquired by the Secretary of the Interior pursuant to this act in existence at such time of acquisition may be continued in full force until January 1, 1945. It is intended that after January 1945, there shall be no stores, lodges, camps, restaurants, or similar structures north of township 42, except that guest ranches may be permitted to operate within the park under such authority and regulations as may be prescribed by the Secretary of the Interior.

Section 2: Authorizes and directs the Secretary of Agriculture to designate and set aside in the Teton National Forest a strip of land 1 mile in width, extending from the northern boundary of the Grand Teton National Park to the southern boundary of the Yellowstone National Park, for the purpose of the construction and maintenance of a road between the two parks. The Secretary of the Interior is authorized to construct and maintain this road and prescribe such rules and regulations as are necessary to protect the roadway from unsightly structures. No leases or permits for buildings shall be granted in this strip and nothing in this section shall terminate or prohibit the renewal of any existing lease.

Section 3: Authorizes the Secretary of the Interior to accept in behalf of the United States donations of land and other property which in his judgment is desirable in the administration of the park. This section also authorizes the exchanges of lands belonging to the State of Wyoming within the boundaries of the park for lands from the unappropriated public domain of equal value.

Section 4: Provides that the area which is south of Buffalo Fork, east of the Snake River, and east of the existing main highway, running from the town of Jackson, Wyo., be administered by the

Biological Survey, both for game management and for the production of hay for winter feeding of elk and other wild life, provided that the plans for buildings, structures, and physical improvements constructed by the Biological Survey shall have the approval of the Secretary of the Interior.

Section 5: Authorizes the compensation of Teton County in the State of Wyoming for the loss of taxes resulting from the transfer to the United States of private lands, principally the Rockefeller holdings. Teton County is of small population and of little taxable wealth and until the assessed valuation of the county is increased it will be impossible to maintain the county government or schools if the county is deprived of taxes which are now paid on the lands to be transferred to the Government. It is provided that for the first 10 years there shall be paid from the receipts of the Grand Teton and Yellowstone National Parks an amount which would be equal to the average amount of taxes levied for all county and school district purposes during the years 1929 to 1933, both inclusive, on lands privately owned prior to June 1, 1934, and afterward transferred to the United States. The total yearly payment is limited to \$25,000. During each of the second 10 years a payment equal to the amount so paid for the last year of the first 10-year period decreased 10 percent the first year of the second 10-year period and by an additional 10 percent of such amount for each year thereafter shall be paid.

Section 6: Protects the use of the adjoining Teton National Park, providing that the Secretary of Agriculture is authorized to determine and define such rights-of-way as are necessary for the movement of timber, mineral, or other natural resources to and from such national forest. Owners or occupants of ranch land in the County of Teton who are engaged in the business of cattle raising shall be entitled to graze their cattle in the spring and fall across such portions of the park as may be necessary for them to go to and return from their summer ranges. The holders of leases or permits previously issued by the Secretary of Agriculture or Secretary of the Interior, subject to compliance with all terms and conditions of the same, shall be continued in the case of summer homes for a period of 25 years and in the case of commercial enterprises for a period of 10 years. In the case of leases for commercial enterprises there shall be no increase in the number of existing buildings or improvements, but the termination of any leases or permits for commercial enterprises shall not become effective until the leasees or permittees shall be reimbursed for the reasonable value of improvements made prior to June 1, 1934.

Section 7: Extends the provisions in the Interior Department Appropriation Act for the fiscal year ending June 30, 1932, authorizing the Secretary of the Interior to incur obligations and to enter into contracts for the acquisition of privately owned lands or timber within the National Parks to cover the lands described in section 1, with the proviso that any appropriations made subject to this authorization shall not exceed the cost of lands which may have been donated to the United States.

Section 8: Confers sole and exclusive jurisdiction by the United States over the Grand Teton National Park as extended, reserving to the State of Wyoming the right to serve civil or criminal process within the limits of the park and the right to tax persons and corporations, their franchises and their property in the park, reserving to persons residing within the park the right to vote at all elections held

in the County of Teton; reserving to persons residing in the County of Teton and to persons residing within the park on privately owned lands free right of ingress and egress, and reserving to the State of Wyoming all vested, appropriated, and existing water rights and rights-of-way therein, including all existing irrigation ditches. All laws applicable to places under the sole and exclusive jurisdiction of the United States shall have full force and effect in the park, but all fugitives from justice shall be subject to the same laws as refugees from justice found in the State of Wyoming.

Section 9: Directs the Secretary of the Interior to issue patent to Albert W. Gabbey for approximately 200 acres of land. This covers an additional homestead entry made by Gabbey previous to the Executive order withdrawing these lands from entry for the purpose of establishing an elk refuge. The committee is of the opinion that in denying Mr. Gabbey's application an injustice was done him through an adverse report made by the Geological Survey to the effect that the land applied for was not suitable for a grazing homestead. Previous to denying this application the Geological Survey had reported favorably on other entries covering lands of a similar character, one being adjacent and others in the immediate vicinity of that applied for by Mr. Gabbey.

IMMEDIATE NECESSITY FOR LEGISLATION

The passage of this bill will include in the National Park system a beautiful scenic area; it will bring about the proper development of the Grand Teton National Park; it will permit Mr. Rockefeller to donate to the United States land which has cost him over a million and a half dollars and will add to lands already owned by the Biological Survey lands which are necessary for protection of the largest elk herd in the United States. It will be of inestimable value to the citizens of Teton County, Wyo., as it will end a controversy which has kept them in a constant state of unrest, and developed factional feelings between those who favored and those who opposed park extension. The uncertainty as to whether or not the Grand Teton National Park would be enlarged and the question as to its ultimate boundaries has discouraged development, not only in the area proposed to be included by this bill but in other sections of Jackson's Hole.

This bill has been very carefully worked out after many conferences with both those who in the past have opposed or have favored the extension of Grand Teton National Park.

