

Calendar No. 1618

69TH CONGRESS }
2d Session }

SENATE

{ REPORT
No. 1625

HIGHWAY FROM RED LODGE, MONT., TO COOKE CITY, MONT.

FEBRUARY 25, 1927.—Ordered to be printed

Mr. MOSES, from the Committee on Post Offices and Post Roads,
submitted the following

REPORT

[To accompany S. 5717]

The Committee on Post Offices and Post Roads, to whom was referred the bill (S. 5717) providing for a highway from Red Lodge, Mont., to a point near Cooke City, Mont., having considered the same, recommend that the bill pass without amendment.

The facts are fully set forth in a letter from the Department of Agriculture and in the other documents appended hereto and made a part of this report.

DEPARTMENT OF AGRICULTURE,
Washington, February 19, 1927.

HON. GEO. H. MOSES,
*Chairman Committee on Post Offices and Post Roads,
United States Senate.*

DEAR SENATOR MOSES: Your letter of February 16 is received requesting the recommendations of this department on the bill (S. 5717) which provides for the construction of a highway from Red Lodge, Mont., to a point near Cooke City, Mont. The distance between these two points is approximately 68 miles. Of this distance, 62 miles lie within the national forests. While the road is not now on the forest highway system, because of its importance it will necessarily be added. In the State of Montana there are a number of highly important sections of the main road system of the State which lie wholly within the national forests. The funds which accrue annually to the State of Montana from the forest highway fund are totally insufficient to build these as rapidly as they are needed. I am informed by the Secretary of the Interior that this road, if built, would relieve the traffic upon the roads within the Yellowstone National Park. The only way it can be built within any reasonable time would be through a special appropriation, assuming the present dimensions of the forest highway appropriations remain practically unchanged.

The Director of the Bureau of the Budget has informed me that the proposed legislation contained in this bill would not be in conflict with the financial program of the President.

Very truly yours,

R. W. DUNLAP, *Acting Secretary.*

STATEMENT OF O. H. P. SHELLEY, OF RED LODGE, MONT.

The CHAIRMAN. Mr. Shelley, give your full name, occupation, and residence.
Mr. SHELLEY. O. H. P. Shelley, Red Lodge, Mont., newspaper publisher.

I am appearing in the interest of Senate bill (S. 5717) which was introduced by the chairman of this committee. It is a companion bill to a bill introduced in the House (H. R. 15970) by Congressman Leavitt.

The purpose of this bill is to authorize an appropriation to build a highway from Red Lodge, Mont., to Cooke City at the boundary of Yellowstone Park.

Senator McKELLAR. Is that the road that the Senate recommended last year in which Senator Walsh was interested and testified about?

Mr. SHELLEY. Yes; I was just going to refer to that.

This road is constructed through the Bear Tooth National Forest in Montana and the Shoshone National Forest in Wyoming.

At the last session of Congress Senator Walsh introduced a bill to authorize the building of this road (S. 3071). A very full hearing was held before this committee and also before the Committee on Appropriations. After the bill passed the Senate it was attached to the Interior Department appropriation bill as a rider and passed the Senate, but the amendment was lost in the House.

Senate bill 3071 differs from this bill only in the matter of the financing. At that time it was proposed to use Federal-aid funds that were allotted to Montana, which our State was unable to match at that time, but this did not meet with the approval of the Department of Agriculture or the Budget, and the bill was killed.

After the amendment was lost in the House, a senatorial delegation visited the White House and had a talk with the President and he suggested that the matter be investigated and report made at this session of Congress. Accordingly, Senator Work went to Yellowstone Park and went up on this road—the part of the old road that is in the Yellowstone Park. The Assistant Secretary, Mr. Dunlap, went to Cooke City, and both of them made favorable reports.

The CHAIRMAN. I will interrupt you at this point, Mr. Shelley, to put in the record the letter of the Acting Secretary of Agriculture, addressed to me under date of February 19, 1927, in which he points out the desirability of this road construction and informs me that the Director of the Bureau of the Budget does not hold this legislation to be in conflict with the financial policy of the President. This letter complete will be inserted in the record at this point.

The letter referred to follows:

Hon. GEO. H. MOSES,

FEBRUARY 19, 1927.

Chairman Committee on Post Offices and Post Roads,

United States Senate.

DEAR SENATOR MOSES: Your letter of February 16 is received requesting the recommendations of this department on the bill S. 5717, which provides for the construction of a highway from Red Lodge, Mont., to a point near Cooke City, Mont. The distance between these two points is approximately 68 miles. Of this distance 62 miles lie within the national forests. While this road is not now on the forest highway system, because of its importance it will necessarily be added. In the State of Montana there are a number of highly important sections of the main road system of the State which lie wholly within the national forests. The funds which accrue annually to the State of Montana from the forest highway fund are totally insufficient to build these as rapidly as they are needed. I am informed by the Secretary of the Interior that this road if built would relieve the traffic upon the roads within the Yellowstone National Park. The only way it can be built within any reasonable time would be through a special appropriation, assuming the present dimensions of the forest highway appropriations remain practically unchanged.

The Director of the Bureau of the Budget has informed me that the proposed legislation contained in this bill would not be in conflict with the financial program of the President.

Very truly yours,

R. W. DUNLAP, *Acting Secretary.*

Mr. SHELLEY. That is the point I was just going to cover. I thank you very much, Mr. Chairman.

Cooke City lies just outside of Yellowstone Park at the northeast corner. There is no way of getting into Cooke City except through Yellowstone Park by way of Gardiner at the present time. Cooke City is a mining town. All the ore has to be hauled out and all the supplies have to be hauled in through the Yellowstone Park, and during the tourist season it is quite a nuisance to the park service.

The purpose of this bill is to construct a roadway away from the park and divert the commercial hauling from Yellowstone Park. There have been many attempts to get some kind of inlet or outlet to Cooke City, but heretofore they have always tried to force their way through the park and it has always met with objection. The mining industry has got to such an extent, as I say, it is a nuisance to the park.

There are many stockholders in these mining concerns. They have stockholders in almost every State of the Union. They are people who have bought this stock and most of them are people of small means, wage earners.

Necessarily there have to be regulations established in the park in the interest of the tourists, and consequently this is a nuisance to the park and also a great handicap to the district.

The proposed road has a further value of fire protection to the forests. It also happens to be a great scenic and recreational territory, being nearer to all of eastern Montana and the Dakotas—in fact, to anyone who lives east, because it is 150 miles nearer to the first mountains than by any other route to the west.

In addition, there will be hundreds and probably thousands of summer homes put there from which the Government will receive revenue by way of rentals. They do not sell these homes but receive a rental from them.

The increase in the mining output of Cooke City will also afford a great financial return to the Government.

The department have also suggested that this is the only way—

Senator McKELLAR. Has this bill passed the House?

Mr. SHELLEY. It has not yet passed the House. Our purpose in handling it in this way at this time is on account of the jam in the House, and our idea was to get the bill passed out of your committee and then, if it can possibly be done, attach it as a rider to the last deficiency bill, which I am authorized to say meets with the approval of the department.

We had a hearing and Mr. Mather appeared before the Committee on Appropriations the last time, and I think the Committee on Appropriations understands the proposition very thoroughly. However, Mr. Albright, the superintendent of the Yellowstone National Park, is here and I would like to have him make a brief statement, if there is no objection.

The CHAIRMAN. We will hear you, Mr. Albright.

STATEMENT OF H. M. ALBRIGHT, SUPERINTENDENT OF THE YELLOWSTONE NATIONAL PARK

Mr. ALBRIGHT. Mr. Chairman and gentlemen, I do not know how much I can add to what Mr. Shelley has said, except to corroborate the statement that the mining operations at Cooke City involve considerable use of park roads, and the park roads have not been constructed on the highest standards. They are very old roads, and it will be some years before they are on good standards. Consequently the traffic is more or less of a menace to passenger cars and buses on the road during the summer months.

Of course, Cooke City being at the end of a highway and with no other outlet, we permit the passage of these trucks and cars, but at certain times of the day we have to restrict the use of the roads. For instance, after 1 o'clock we do not permit traffic to and from Cooke City over a stretch 18 miles long. This is because we know from experience that this is the time of day when the bulk of the tourist traffic is passing over that particular section of the highway. So there is no question but what there are some inconveniences to Cooke City business on account of our regulations, which we find necessary not only in the interest of the upkeep of the roads but in the interest of the safety of passengers and tourists traveling over the highway.

We would, of course, much prefer to see a road built outside the park that would divert all this commercial traffic away from the park. If it is not done by a road outside, it will ultimately have to be done by a road inside, and it will cost as much or more to build a commercial road inside of the park as it would outside of the park, and it is undesirable to build it through the park not only on account of interference with the vacation travel, the park being created primarily for recreation and not for commercial use, but it would involve building a road through the very heart of the winter range of our big game animals.

The present road to Cooke City runs right through our buffalo range. We have the biggest herd of buffalo in America there, 1,000 head now and growing all the time. We are putting more and more land under cultivation in that valley, and our feeding must go on there during the winter months. Disturbance of the animals creates more expense to us in handling them, and they are hard enough to handle anyway.

The road would also go through the very best part of the elk range in the northern section of the park. The lowlands of the northern section of the park is where all the elk herds concentrate in the wintertime and they ought not to be disturbed any more than necessary. Of course, the animals inside of the park are more or less tamed, but disturbances by trucks and cars, etc., are not particularly good for them, and wherever people can get to the animals in winter, it involves more expense of protection. It would involve a considerable increase of ranger force to protect a commercial road which was used a good deal of the year from poachers.

Senator McKELLAR. How do you keep the buffalo from going out of the park?

Mr. ALBRIGHT. By feeding them hay. Their normal instincts are to go down with a storm and move south and move down the valley. So we raise hay and we stop them by the use of hay. We only feed them when the storms are on and they are moving a good deal.

Senator McKELLAR. Do you stack the hay at various places?

Mr. ALBRIGHT. Yes; we use about 1,000 tons of hay on our ranges, which means about 1 ton a year per winter per animal; but, as a matter of fact, we really feed a little more than that. Last winter, for instance, was an open winter and we did not feed hardly at all.

Senator McKELLAR. How about this present winter?

Mr. ALBRIGHT. This winter is a very bad winter. We have had three or four extremely cold waves, the thermometer going to 50° below zero. The animals have been very restless and we have had to employ extra men to handle them.

Senator McKELLAR. How many elk have you out there?

Mr. ALBRIGHT. It is difficult to estimate elk, but we believe, in the northern and southern herds of elk; that is, the herd that goes south toward Jackson Hole and the herd that goes to this section of the country, would total upward of 32,000 head.

The park, as you know, gentlemen, is not only a great place for volcanic wonders and scenery, but is far and away our finest game preserve. We not only have the buffalo and the elk, but we have fine herds of mountain sheep, moose are quite numerous, and we have one of the last surviving bands of antelope.

Senator McKELLAR. How many of those have you?

Mr. ALBRIGHT. We have over 600; and, by the way, that herd ranges in this very country which would be affected by this commercial traffic.

Then we have two species of deer, the white-tail and the mule deer. We have the grizzly bear and the black bear in considerable number, and then we have every kind of fur-bearing animal you can think of. In this respect it is just as good a fur country to-day as it was when Jim Bridger was out there. We have mink, marten, fisher, and beaver in abundance.

Senator McKELLAR. You do not allow any of them to be taken out?

Mr. ALBRIGHT. No; our aim is to keep the place as near a piece of old America as we can. We only have about 300 miles of roads and most of them are old roads and are not built to the highest standards. We are improving them right along as money is forthcoming to us.

So we would like to see the wilderness character of the park kept untainted by commercial operations as much as possible. Of course, we have to have some commercial activities in feeding tourists and operating hotels, but for nine months in the year the place is pretty much in a state of nature.

Senator McKELLAR. How many tourists do you have a year?

Mr. ALBRIGHT. The number is increasing very fast, Senator. They averaged 26,000 for a period of 10 years prior to 1919. Since then the number has been going up very fast until last year we had 187,000 tourists, of which about 45,000 came by rail and more than 140,000 by private automobiles. It is getting to be a very popular place for visitors. It is a great game area and it is one of the best fishing places left anywhere.

Senator McKELLAR. You allow fishing there?

Mr. ALBRIGHT. Yes; we pay a great deal of attention to the fishing. The Bureau of Fisheries cooperates with us in keeping the streams stocked.

There are five gateways to the park now, one from the middle of each line and one coming into the northwestern corner. While we do not say this is necessary as an entrance to the park—the Government departments would not say this is a necessary thing to get into the Yellowstone Park, but it would provide another very scenic gateway.

Senator McKELLAR. And you think the road ought to be built?

Mr. ALBRIGHT. Yes, sir.

The CHAIRMAN. Thank you very much, Mr. Albright.