

Next Meeting

Saturday, September 8, 2001, 1PM

Fox Creek Nature Center

Gallupville, NY

DIRECTIONS - The Fox Creek Nature Center is located on Rt. 443 in Gallupville, NY just across from the general store.

Notes from the Last Meeting

- The following trustees were elected at the last NCC meeting: Paul Murphy, Ed Lucas, and Steve McLuckie for 3 year terms and Jon Allison for a 2 year term.
- The Knox Cave Management Plan prepared by Thom Engel was accepted by the Board. The recommendation to gate the Gunbarrel by-pass was dropped. A ladder belay was recommended for ALL individuals. The recommendation to revisit the closure dates of the cave was postponed until a bat count is performed. The management plan will be posted in the Board Manual and on the NCC website.
- NCC merchandise (e.g., t-shirts, golf shirts, and sweatshirts) will soon be available. To get t-shirts and any other promotional items we needed a final version of our logo. The logo has been OK for the letterhead but it needs a more professional finish. See the final version above.
- The Board discussed the various proposals for credit cards. Subsequent to the meeting, the Board approved a motion that the NCC enter into an agreement with Northern Merchant Services, of Galway, NY in order to accept credit card donations. The Executive Committee has studied this issue since December of 2000 and we now feel that we are offering the best deal of the three proposals. Northern Merchants and the AL proposals offered the same hardware, but AL was twice as much! EFT, catering to several large nonprofit organizations, was much more expensive in the small number of transactions.
- The Knox Cave Preserve is now tax exempt saving us approximately \$200 - \$300 per year.
- As of 31-May-01, we have 85 paid members and \$6,157.70 in our bank account. Of this amount, just over \$2,000 has been specifically earmarked for the purchase of the Selleck's property. Howe Caverns donated \$500.00 to us for the purchase. In addition, at the last accounting, we had assets in excess of \$8120.00 being held by the National Speleological Foundation. Joe Levinson has sent a copy of a contract, listed in the back of the board manual, to the Foundation for their review and acceptance. This contract gives us the ability to borrow against our money, so that we don't deplete the principle, but can still have it grow, so that we can make use of it another day.
- Unfortunately, the board was unable to make a decision on the Selleck's property at the last meeting. This is due to several factors. At this meeting, the board should discuss the issue and decide if it can expedite it before the next formal board meeting. In all fairness to the caves, a slow and deliberate approach is the best as long as we can satisfy the present owners during this period.

Spring NRO 2001

by Christa Hay

The Spring NRO 2001 was held at the Cobleskill Fairgrounds on May 11th through 13th. The NCC prepared, cooked, and hosted Saturday night's dinner and raised \$533.27.

There was also a 50/50 raffle, which was drawn Saturday night after the dinner. The total profit was \$168.50.

John Sagendorf, General Manager of Howe Caverns, came down in person and donated \$500.00 to the NCC. He is very happy to see cave conservancy being conducted, especially in Schoharie County.

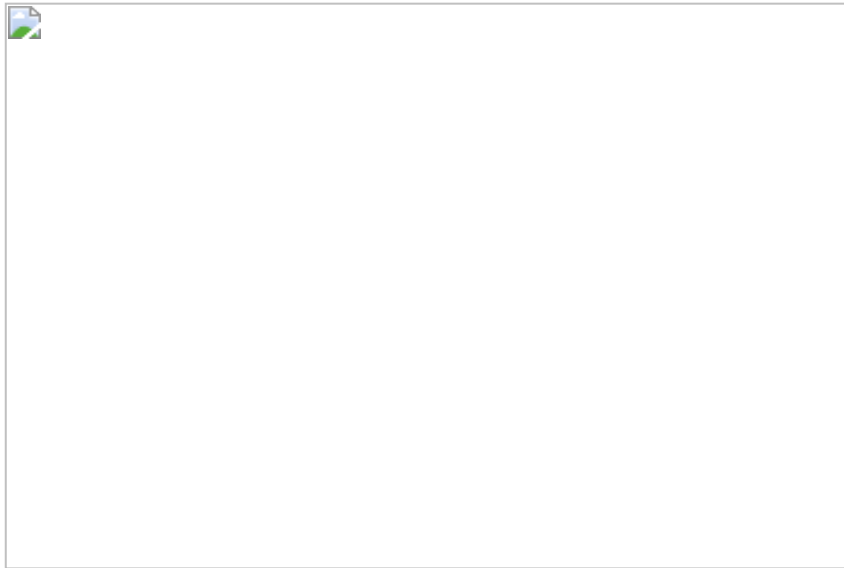
The NRO donated \$1000.00 to the NCC at the Sunday morning business meeting.

The donations "can" set up at the NRO registration desk, NCC booth, and Speleobooks brought in \$27.49.

Members also donated money. One example would be Nigel Dyson-Hudson who has been very generous with several donations over the past months.

The NCC wants to thank all the members and volunteers that worked hard to make this Spring NRO bring in well over \$2000 in donations. This money will go a long ways to helping with the purchase of the Selleck's Karst Preserve.

When we work together great things do happen! Thanks again and keep up the good work!



Sinking Cove Area Re-opened to Cavers

by Bill Putnam

The Southeastern Cave Conservancy has signed a caving lease for the Sinking Cove area, re-opening the area to cavers. The lease was signed and delivered on May 17, 2001 and takes effect immediately. The lease is the result of much hard work over many months, and is a substantial commitment of the Conservancy's financial and other resources.

Last February, the entire 16,000-acre Sinking Cove area was closed when the owners leased it to a new management group. The area is now open to permit holders only, with permits being sold for deer and turkey hunting, trail riding, and a few other activities. The number of permits is strictly limited, since the primary use of the area is wildlife management for hunting.

The Southeastern Cave Conservancy (SCCi) negotiated a lease and management agreement to secure caver access to the caves and the campground. The agreement is a sub-lease of caving and camping rights, with associated responsibilities. It is costing SCCi several thousand dollars per year, but gives SCCi access rights and management authority for Sinking Cove Cave, Custard Hollow Cave, and all other caves on the property.

In effect, SCCi has purchased a group permit for the caving community. Cavers are the only user group with this kind of blanket access agreement. All other users will be paying individual permit fees ranging from \$300 to \$500 per year. This arrangement provides cavers with continued access to the caves and campground area outside of hunting season.

The lease is a one-year agreement, which may be extended to a longer term if we respect the rules and requirements of the leaseholders and owners. These are embodied in the cave management plan included below and administered by SCCi in cooperation with Deep South Outdoors. If everything works out well our agreement will be extended to a longer term. If there are problems, we may lose access permanently.

Our access is contingent on cavers respecting the rules, becoming part of the team, and helping the owners and leaseholders maintain and protect the property. If we fail to live up to our part of the agreement, the lease may be terminated or not renewed. SCCi is investing a substantial amount of money in this lease, and is depending on the good will and support of all cavers to ensure the success of this arrangement.

If you have any questions about the preserve, the caves, or the management plan you can contact Buddy Lane (blane@scci.org), John Van Swearingen (jvswearingen@scci.org), or Bill Putnam (putnam@scci.org), who are the members of the SCCi Sinking Cove

property management committee. Additional information is available on the SCCi web site at www.scci.org/sinkingcove.

Contributions and donations to help cover the cost of the lease will be very much appreciated.

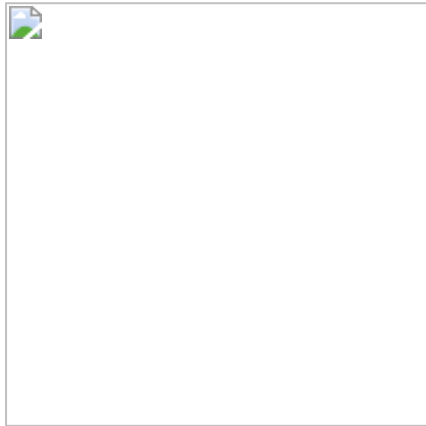
Volunteers Needed

Remember the NCC will be hosting a Brooks Bar-B-Q on October 26, 2001 at the Wal-Mart on Altamont Ave, Rotterdam, NY (near Schenectady). We will need volunteers to sell tickets and help serve dinners. Brooks does all the set-up, cooking and clean up. The time will be sometime between 3:00pm and 7:00pm and will be firmed up closer to the date. There will be more information on this event as the time gets closer. But please keep October 26 open. This is on a Friday so that means some people might have to take time off from work to help.

This is also a good time to talk with the public about the NCC and its mission and hopefully get more members. It would be a good idea to have caving equipment and demonstrate their use, have the squeeze-box available and possibly put a photo album together of caves and people having fun caving.

We will need at least 12 volunteers to work and as many members as possible to come and support the NCC by buying some chicken dinners and spreading the word around. If we can get enough members to donate goodies, we could also host a bake sale. People always like to have something sweet to go along with their chicken and ribs.

Please help the NCC and volunteer some time on October 26!



NRO Dinner

by Emily Davis

Thank you to all of those who supported the Selleck's Cave fund raising kick off dinner by either helping with the dinner or eating it! It was a great success. All tickets were sold and very few were looking for tickets after they were sold out. We made over \$500 and fed 136 people. The menu included:

Roasted Local Chicken with Barbecue Sauce

Schoharie Valley Baked Potatoes

Green Salad w/Grape Tomatoes & Cucumbers

Mixed Fruit Cup or Canned Peaches

Yummy Brownies

Ice Cold Lemonade

Vegetarian Entrée: Vegetarian Lasagna

I want to thank all of those who contributed time to the dinner. First, Christa Hay, my partner in the project. The rest are listed in no specific order: Robin Strashun, Bill Folsom, Isabel Valez, Bob Addis, Joe Levinson, Steve McLuckie, Amy Cox, Clare Anderson, Thom Engel, Alice Taylor, Toinette Hartshorne, Nigel Dyson-Hudson, Mike Martuscello, Mike Warner, Tom Ebert, Tom Rider, Anne

Tocker, and Craig Cantello. These folks loaned grills or were servers, grill masters, prep cooks, or clean-up staff. It was a real team effort. Thanks also go to the transport team of the NFG and the staff of the event!

Thank you all!



Maine Cave Protection Act

by Eric Hendrickson

I am a science teacher and for a number of years have been using speleology as a theme for chemistry. As part of this program the students are taken on trip to visit caves in our region. This law was part of the program.

The project began in 1995 when my daughter collected data, mapped and developed a management plan for a cave on public lands as a science project. The project won first place receiving a prize of \$1000 and equipment for the school. The plan was presented to the park and the manager stated that there was no need for a management plan for a cave in a wilderness area because it was not important to the concept of wilderness. To say the least we were somewhat disappointed. So the desire to protect this cave became a campaign to protect all Maine caves.

The next step was to write letter to the members of the legislature's natural resources committee requesting them to present a bill to protect caves. This fit well into the curriculum because one thing the students need to be able to do is communicate and have a concern for protection of natural resources. This request received a very cold response by stating Maine had few caves therefore did not need a cave protection bill. The Maine State Geologist gave the same response so I decided to create what I have called the Maine Cave Survey. I have collected all of the information that has been published about caves in Maine. This survey which was published recently in the Northeastern Caver was given to Richard Bleze of the NSS and the Geologist.

While at the same time the student researched state cave protection laws. From these laws they developed what they felt best represented protection for Maine. Letters were once again written but this time they were sent with a collective sample law to the member, still they received a cold reception. Finally I took a copy of the sample laws and a PowerPoint presentation to my local representative who said she would submit the bill if I would be responsible for presenting it.

In October of 2000 the bill was submitted presented by Representative Desmond and the bonus was that it was cosponsored Senator Treat, the chair of the Natural Resources Committee, Representative Loring of the Penobscot Nation and Representative Soctomah of the Passamaquoddy Tribe. My daughter opened with a speech about the role she and her classmates had played further describing her passion for caving to the members. I followed with a one hour PowerPoint presentation about what has happen to cave already in Maine and what the future held for caves if nothing was done. This was followed by about 45 minutes of questions. Then the surprise came, the State Geologist spoke in favor of the bill giving it 100% support describing in detail the importance of caves in Maine which was shown by the State Cave Survey and how cave should be supported by the bill. This was followed by the Governor of the

Nations of Maine speaking in favor of the bill describing how it was a move of respect for mother earth and give caves as a natural resource a degree of respect.

In April the bill was passed with amendments in committee, where they increase the penalty, increased landowner protection and declared it a recreational sport in Maine which gave it added protection. The bill finally reached the floor and came to vote on May 7 where it was passed with out a single declining vote. So as you can see there were a large number of people responsible but it was the dream of mine and hope of my daughters that Maine have a cave protection act.

Sec. 1. 12 MRSA c. 201-A, sub-c. I-A is enacted to read:

SUBCHAPTER I-A

MAINE CAVE PROTECTION ACT

§544-I. Short title. This subchapter may be known and cited as the "Maine Cave Protection Act."

§544-J. Definitions. As used in this subchapter, unless the context otherwise indicates, the following words have the following meanings.

1. Cave. "Cave" means any naturally occurring void, cavity, recess, sinkhole or system of interconnecting passages beneath the surface of the earth or within a cliff or ledge that is large enough to permit a person to enter. "Cave" includes natural subsurface water and drainage systems, but does not include any mine, tunnel or other artificial excavation.
2. Cave life. "Cave life" means any life- form normally found in a cave.
3. Natural material. "Natural material" means stalactite, stalagmite, helictite, anthodite, gypsum flower or needle, flowstone, drapery, column, tufa dam, clay or mud formation or concretion or other similar crystalline mineral formation found in any cave.
4. Owner. "Owner" means a person who owns title to land where a cave is located.

§544-K. Prior written consent of owner. A person must obtain the prior written permission of the owner to excavate or remove an archaeological, paleontological, prehistoric or historic feature of a cave.

§544-L. Field investigations, explorations and recovery operations. All field investigations, explorations and recovery operations in a cave must ensure that the ability to recover and preserve historic, scientific, archaeological and educational information is not impeded. The excavation or removal of an artifact, object, specimen or material from a cave on state-controlled land, as those terms are defined in Title 27, section 373-A, is subject to the provisions governing excavation and removal of state-owned objects and specimens under Title 27, chapter 13.

§544-M. Liability of owners. Recreational caving is a recreational or harvesting activity for the purposes of limited liability of landowners under Title 14, section 159-A.

§544-N. Prohibited acts

1. Defacing or damaging cave prohibited. A person may not deface or damage a cave. A person defaces or damages a cave if the person, without the prior written permission of the owner:
 - A. Breaks, breaks off, cracks, carves upon, writes or otherwise marks upon or in any manner destroys, mutilates, injures, defaces, removes, displaces, mars or harms any natural material found in a cave;
 - B. Kills, harms or disturbs plant or animal life found in a cave, except for safety reasons;
 - C. Disturbs or alters the natural condition of a cave or takes into a cave any aerosol or other container containing paints, dyes or other coloring agents;
 - D. Stores, dumps, litters, disposes of or otherwise places any refuse, garbage, dead animal, sewage or toxic substance harmful to cave life or humans in a cave;
 - E. Burns within a cave any material that produces smoke or gas that is harmful to any organism in the cave; or

F. Breaks, forces, tampers with, removes or otherwise disturbs a lock, gate, door, sign or other structure or obstruction designed to prevent entrance to a cave, whether or not entrance is gained.

1. Forfeiture. A person who violates the provisions of this subchapter commits a civil violation for which a forfeiture of up to \$1,000 may be adjudged.

2. Damages may be collected by landowner. A person who intentionally defaces or damages a cave on private land in violation of subsection 1 is liable to the owner of that land for actual damages recoverable through a civil action.

Further amend the bill by inserting after section 1 the following:

Sec. 2. 14 MRSA § 159-A, sub-§1, ¶B, as amended by PL 1995, c. 566, §1, is further amended to read:

B. "Recreational or harvesting activities" means recreational activities conducted out-of-doors, including, but not limited to, hunting, fishing, trapping, camping, environmental education and research, hiking, recreational caving, sight-seeing, operating snow traveling and all-terrain vehicles, skiing, hang-gliding, dog sledding, equine activities, boating, sailing, canoeing, rafting, biking, picnicking, swimming or activities involving the harvesting or gathering of forest, field or marine products. It includes entry of, volunteer maintenance and improvement of, use of and passage over premises in order to pursue these activities. "Recreational or harvesting activities" does not include commercial agricultural or timber harvesting.

Items of Interest

- "There are more and more Conservancies competing to purchase caves, and asking for funding and at the same time there are caver-friendly people competing with these conservancies to purchase the same caves, and there are cavers competing with the above to purchase the same property. Any one of which would protect the resource, while maintaining access. This may be one time when competition may not be good for all concerned. I understand the need to play cards close to one's vest while negotiating with the seller. But is this good, in the long run, for all the above, when it's time to fund these purchases?" *(from Craig Hindman, Chairman of the Virginia Region, in the latest Region Record, forwarded by Chuck Porter)*
- Since we have no fund raising chair at this time I challenge each of you to find a way to raise funds for this new property. Check with your company on matching grants. Think of some other clever idea for the NSS convention, OTR or other event. *(from Emily Davis)*
- Each Board Meeting's minutes are now posted on the NCC website as soon as available. Minutes from the past 2 meetings are now online, including officer/committee reports. The NCC Board Manual in its entirety is also now online. As usual, every NCC newsletter is posted as close to print publication as possible. All back issues are online.
- The NCC will be hosting the Fall NRO 2001 Saturday night dinner to raise money for the Selleck's Karst Preserve. Christa Hay volunteered to head the ad hoc committee. The Fall NRO is being held in Arlington, VT and is being hosted by the Vermont Cavers Association.
- As many of you saw at the Spring NRO, the materials for our booth are shaping up. Thanks to Mike Warner for getting that large cave locator map by Alan Plante laminated -- it certainly drew traffic to our table. Speleobooks donated the lamination. Bob Addis and Bill Folsom also put several pieces together to highlight Selleck's, including photos of the land, maps and historic descriptions of the caves. In preparation for NSS Convention in KY, Art Palmer has sent 38 historic photos on CD taken over the past 40 or so years of his exploits in NE caves. Bill Folsom has begun putting them into a PowerPoint presentation that can loop on a laptop. What's needed next on this is a good narrator for some historical perspective, and some additional slides, especially any of the interior of Sellecks, Levy's or Cave 575.
- In lieu of the vacant Fundraising Chair, Bill Folsom has begun filling out a grant application from the National Speleological Foundation, which looks promising. Unfortunately RASS is no longer running their weekly bingo, so is not accepting new applications for grants. Bill also recently visited the Foundation Center Library in NYC, which has lots of resources for non-profit fundraising including organizations listed as giving to environmental non-profits. Once we have our routine down, applying for grants should be relatively painless. We could really use a volunteer with the time to focus on this important task.
- NCC AUCTION AT FALL NRO - Donated caving-related items will be auctioned off at the Fall NRO in Arlington, VT to benefit the Northeastern Cave Conservancy, Inc. Items such as helmets, lamps, vertical gear, rope, caving books and publications, tents, packs, etc., etc. will go on the block after dinner, Saturday Sept. 15. All auction proceeds will go to the NCC, and contributors, if they wish, will receive a letter of thanks and acknowledgment from the NCC for tax-deduction purposes. So start looking around now to see what you can bring to Fall NRO to help the NCC raise money for the Sellecks karst preserve and other areas. And bring lots of \$\$ to pick up these goodies.