

MCFAILS CAVE, THE BEGINNING OF NSS CAVE OWNERSHIP AND DEVELOPMENT OF A MODEL FOR INTERACTIVE CAVE MANAGEMENT

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Abstract

At the 1965 NSS Convention in Indiana, the Board of Governors voted to accept ownership of the first NSS cave property, McFails Cave in New York State. To do so, they had to change a long-standing NSS policy of non-ownership of caves. This paper will cover the series of events, some serendipitous and some planned, that led to the purchase of McFails Cave and its role in changing NSS cave ownership policy. I will also discuss the development of the management strategy, through establishment of the McFails Committee, as a successful model of interactive cave management.

Description

The pit we know today as McFails Hole is located in a heavily glaciated karst terrain four miles (as the bat flies) northeast of Cobleskill in Schoharie County, New York. It is in a woodland of maple, birch, beech, oak, and hemlock in the midst of dairy farms and cropland. The woodland contains several depressions and pits, with intermittent surface streams feeding into many of them, including McFails Hole. The opening is a double pit, the first 60 feet being sloping ledges through the Kalkberg Limestone and a vertical shaft through the Coeymans Limestone formation. The lower 30-foot-deep pit extends into the Manlius Limestone. It opens from a narrow crack in the west end of the floor of the upper pit, and a narrow crack, partially filled with debris and rock fill, bells out into a chamber with its floor covered with rocks and debris. Low passages which extend both ways from the bottom quickly become stream passages. Upstream, the passage becomes a series of narrow fissures partially filled with water that becomes deeper until it eventually fills the entire passage. Downstream the passage is partially filled with washed-in gravel, leaving a low (hands and knees) stream passage that gradually enlarges to a series of stoopways and knee- to chest-deep pools. A near-siphon about 1,400 feet from the entrance was

pushed in 1961, opening into 5 miles of mostly large passageway. The Main Passage, after nearly 3 miles, and the Southeast Passage, after 2,000 feet, are water filled. In both cases, diving has yielded extensive additions with continuing water-filled passage. The Northeast Passage, after over 7,000 feet of fairly easy going, has more recently yielded several thousand additional feet of difficult passage. Currently, McFails Cave has about 7 miles of explored passage. (Cullen, Mylroie, and Palmer 1979; Palmer 1979; Evans 1979)

History and exploration

Professor Thomas Alfred McFail, an instructor from Carlisle Seminary, entered a pit known locally as the Ice Hole on July 1, 1854, and was climbing a rope to the surface when he slipped, fell back into the pit, broke his neck, and died. The pit was filled with logs. (Brown 1945) It is believed this is the pit now known as McFails Hole. However, a nearby pit, Wicks Hole (seen from below) is full of large suspended logs which totally block the pit, so it might have been the original "Ice Hole." William E. Roscoe, in the *History of Schoharie County* gives an account of the accident, with several changes in detail. He says Professor Thomas N. McFail (*sic*), met his death at the entrance in 1853 (*sic*), was be-

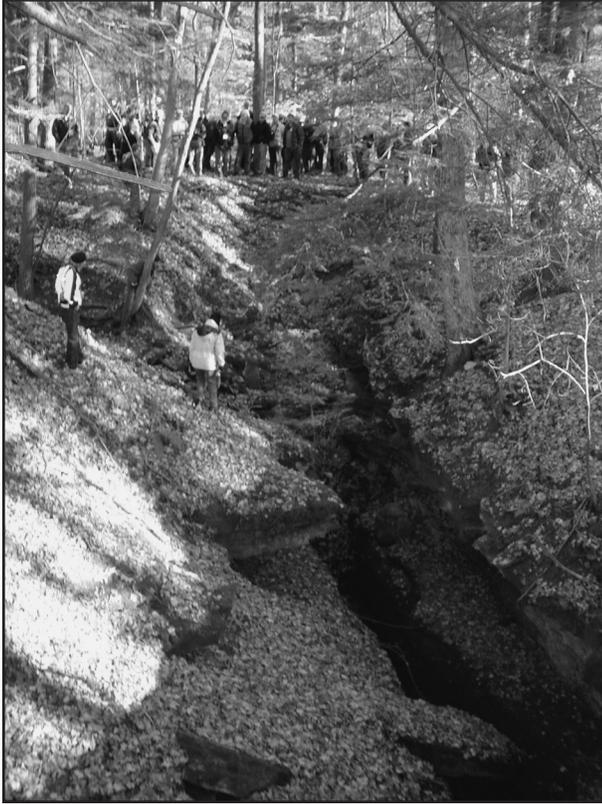


Figure 1. McFails Hole entrance. NCKMS fieldtrip, November 2005. Photo by Fred Stone.

ing drawn up on a rope when he fainted and fell backward, fracturing his skull. Since Roscoe got McFails name and the year wrong, it is quite likely that the other details are also apocryphal. (Roscoe 1882, p 317)

There are only a few mentions of McFails Hole in published records over the hundred years following McFail's death. In 1906 Professor John A. Cook of the New York State Museum, while conducting his survey of caves of the area, was unable to gain entry into the cave presumed to be the current McFails Hole. (Cook 1906) In 1929 a group of cavers with Arthur Van Voris entered the upper pit, and while there, the debris blocking the lower pit collapsed into it. Some members of the group entered the cave, but it is not clear that Van Voris did since his account doubles the depth of the entrance pit. Clay Perry in his book *Underground Empire* summarizes second-hand information about McFails Hole, confusing it with Sellecks Cave and Wolferts Cave, and repeating Roscoe's erroneous account of McFail's death. (Perry 1948)

National Speleological Society involvement with McFails began at the fall Northeast Regional

Association get together on November 8, 1958, when 18 people explored the entrances around McFails Hole. This trip was written up in a 1958 *NSS News*. Russell Gurnee (NSS 1907) and Dick Anderson (NSS 2301) went downstream about 250 feet from the base of McFails Hole Pit to the keyhole. Except for McFails Hole itself and Cave Disappointment, other nearby pits were named for members of the group; Acks Shack for Earnest Ackerly (NSS 258L), Featherstonhaugh's Flop for James D. Featherstonhaugh (NSS 1695), Hanors Hole for Charles J. Hanor (NSS 1124) and Wicks Hole for Wesley S. Wickenhofer (NSS 1230). (*NSS News* 1958)

On July 24, 1960, Norm Olsen (NSS 4872), Peter Van Note, Charles Marr, and Joe Homburger reopened the lower McFails Hole Pit and explored about 400 feet upstream and 1,000 feet downstream (to a "Syphon Pool"). Between August and October 1960 the above group with George and Richard Smith mapped the cave, and published a report in the *NSS News* under the title "Howe Cave Project." (Olsen 1961). Other northeast cavers began exploring McFails, including a trip by Art Palmer (NSS 4059), Marlin Kreidler and Hugh Blanchard upstream 1,800 feet to a sump 31 feet deep.

My own involvement with Cobleskill caves began with my 8th grade school trip to Albany in 1951. It was a long trip from my home town of Marathon, New York, about four hours each way. On the way back, we stopped at Howe Caverns. It was my first cave and I wanted to see more, but I didn't have another chance until I met Lyle Conrad at Cornell University. In 1958 he invited me on a Cornell Outing Club trip to go caving in Centre County, Pennsylvania, followed over the next few years by trips to West Virginia, Virginia, and Tennessee. In spring 1960, my father had to have an operation, so I took a term off of college to stay on the family farm and milk the cows. I could only go on trips between milkings, so I decided to check out the caves of New York described in Clay Perry's *Underground Empire* (which I had listed and indexed in a three ring binder). My first trip was with my brother, Ben, and a college buddy, George Gesslein. We drove down Route 20 and I noticed the sign for the town of Carlisle, which I recognized from Perry's book. I turned right on the next road, and came to Carlisle Center. Just beyond, we

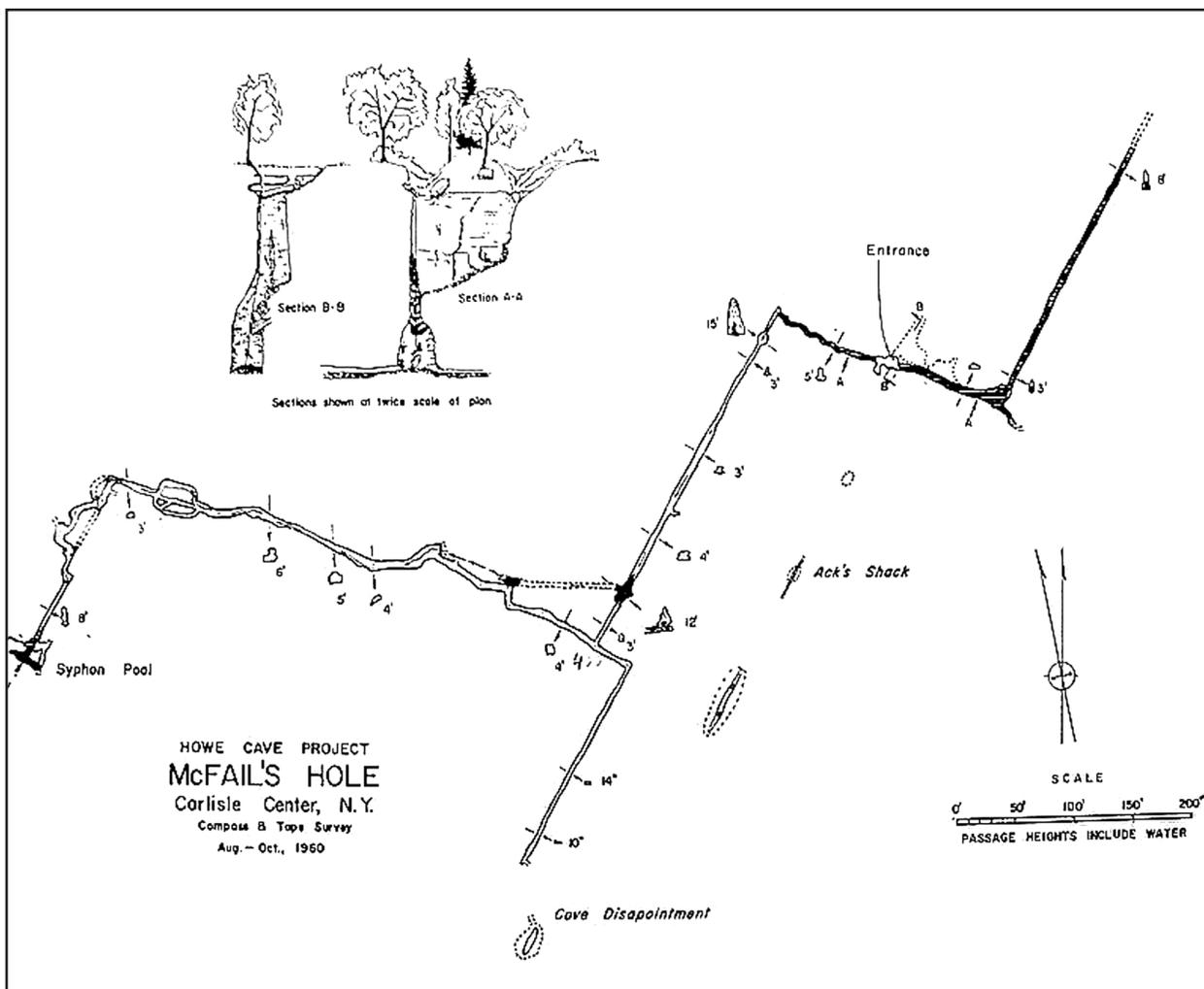


Figure 2. Map of McFails Cave by Norman Olsen, NSSNews, January 1961.

noticed the entrance of Youngs or Runkles Cave on a low ridge behind a house. We stopped and talked to Mr George Loeser. He said we could explore Youngs Cave (he didn't actually own it). After the short walk through the cave, we went back to talk with Mr Loeser. He told us about the cave in his woods, "da McFails Cave." He said some cavers were mapping it. He told us we could explore it, but we would need ropes — and to be careful, it was dangerous. We were back a few weeks later and again stopped first to ask Mr Loeser's permission. This time, I brought a relatively new 3/8-inch manila hay rope. With George Gesslein on belay, I did a hot seat rappel into the upper pit and peered into the crack that opened into the lower pit, but didn't have enough rope to enter it. Then I tied the rope around my waist and chimneyed out of the upper pit with George belaying. Once, I pendulumed

off the slippery walls, and nearly dissected poor George, but he held me, and I made it out without repeating McFails fatal plunge.

I was back on October 28, 1960, leading a Cornell Outing Club trip. We arrived in the evening, rigged cable ladders, and Spencer Weart, Mal Churchill, and I entered McFails lower pit on belay by Nancy Cadwallader (later Nancy Howarth, NSS 8628). We explored the stream passage, a hands-and-knees crawl, downstream 300 feet to a waist-deep pond which sumped to the right. Straight ahead, a narrow fissure crawl passage continued for 20 feet, the Keyhole. On the far side, the passage went left to a low sandy crawl (toward Disappointment Cave) and right to rejoin the stream. The stream passage was larger, 5 to 6 feet high with good air flow, but we had run out of time. Due to a communication problem, Nancy remained on belay from 11:00 P.M.

until we returned at about 2:00 A.M.

I came back later that fall (Thanksgiving weekend) with my brother Ben, but the ground was frozen and the streams were flowing into the woods. At the bottom of the lower McFails Pit there was a raging stream, and the passages were flooded. Ben and I were back on June 3, 1961, and found the stream back to its "normal" level. We explored downstream, and reached Olsen's "Syphon Pool." We searched the walls around the pool, and found a bypass passage. Three hundred feet further downstream, past a "Swiss-cheese" section, we slid down a clay bank into a large pool. The ceiling sloped down to water level, and waves made a "phoop-phoop-phoop" sound as they splashed against it.

On October 8, 1961, I was back with Spencer Weart and Ken Miller with the goal of trying to find a way past the large pool. We were wearing life preserver vests. There were several possibilities. First, we swam down a right-hand passage until it became water filled. Next we tried straight ahead, but the ceiling quickly dipped below the water level. Then I tried the left side passage. The ceiling nearly reached the water level, but a few inches of air remained. After about 50 feet, the ceiling began to rise, and I emerged into a large stream passage. I talked Spence and Ken through the sump, and we were ecstatic as we explored 4,600 feet of clean-rock virgin passage, turning back in a passage 30 feet high and 10 feet wide.

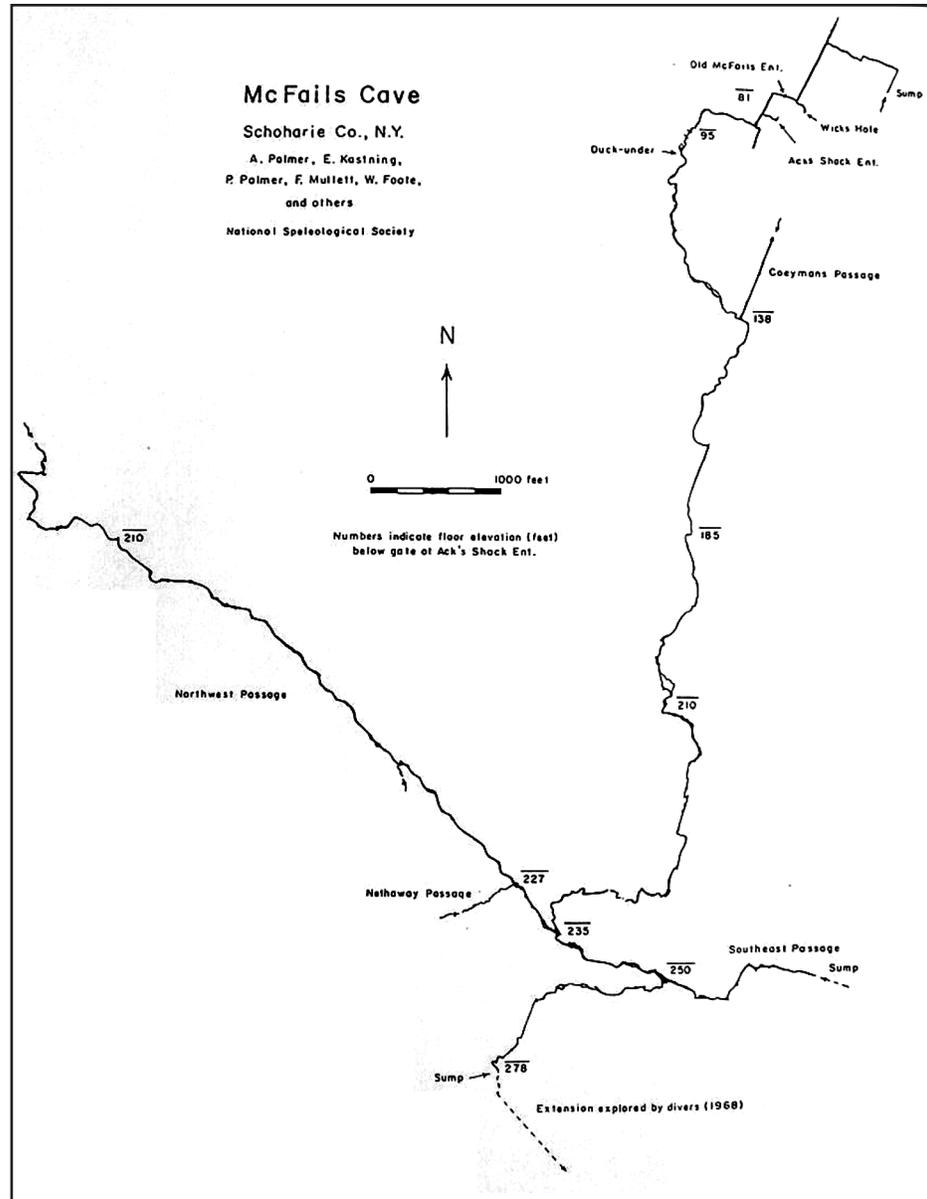


Figure 2. Map of McFails Cave by Art Palmer.

Over the next year, I led Cornell Outing Club and other Northeast Regional Organization cavers [among others Ben Stone, Bill Bousman, Tom Hallinan, Nancy Coles, Spencer Weart, Frank Howarth (NSS 6344), Willy Crowther, Lyle Conrad (NSS 4951)] in exploring the main downstream portion of McFails, including the Northwest and Southeast Passages, totaling over 5 miles of cave passage. In Spring 1963 Art Palmer, Spencer Weart, and I mapped about 3 miles of downstream McFails in a 20-hour trip.

The rocks filling the lower pit of McFails Hole entrance which had always been precariously held

by a large basal chockstone, began to collapse in earnest in July 1963. Frank Howarth and I had just returned from an 18-hour "Friday the 13th" trip, collecting cave invertebrates and trying to push the end of the Northwest Passage. As I was prusiking out of the crack at the top of the lower pit, the large (picnic table-size) chockstone suddenly fell from the base of the rock fill directly in front of me. Frank, waiting in the lower pit, heard a scraping sound and dove into the stream passage, narrowly escaping the rock which landed with an immense crash, neatly cutting the goldline climbing rope (several feet of rope are still under the rock).

We decided to look for an alternative entrance, and on August 10, 1963, Frank Howarth, Elean Benjamin, and I began digging the passage at the base of Acks Shack that aimed toward a side passage in McFails. The passage was filled with sand and gravel washed in by periodic flooding, but with a few inches of air space. Other group members checked Wicks Hole and tried digging the sand-filled crawl from the keyhole toward Cave Disappointment, without success. The Acks Shack dig was completed on August 17, with Art Palmer, Chuck Porter (NSS 5330), and crew entering the McFails entrance and digging in the side passage toward the Cornell group who were continuing to dig from Acks Shack. The passage was soon connected, and the 100-foot crawl was used for entry into McFails until the Halls Hole Entrance was opened in 1978. The McFails Hole lower pit fill finished collapsing into the lower pit shortly later while Art Palmer was climbing out, leaving him hanging from his Prusik rope.

In 1968, cave divers Allen Budreau and Brian Pease with a crew from Boston Grotto dove the sump at the end of the Main Passage, and after 300 feet, found about 800 feet of air filled passage (they dubbed the "Boston Passage") to a second water-filled section. Bob Jefferies penetrated an additional 300 feet past the second sump. (Budreau and Allen 1968)

During September and October 1984 Paul Rubin (NSS 14675) and crew, after several trips to enlarge the tight squeeze at the end of the Northwest Passage, pushed through and explored about 1,500 feet of challenging passage to the Asia Dome and several hundred feet of partially water-filled crawl passage beyond.

Paul Rubin and crew took diving gear into the

Southeast Passage on July 13, 1985. John Schweyen went through a near siphon and a 50-foot total siphon and found 100 feet of air filled passage, but ran out of dive line in going water filled passage. This passage has not been further pushed since then.

Recently, in 2005, an additional half mile of passage was explored beyond the Asia Dome by Cornell University cavers, with going passage heading toward Sellecks Cave which belongs to the Northeast Cave Conservancy.

McFails Purchase

The discovery of a major cave in New York presented a dilemma to the Cornell cavers. The cave was highly vulnerable to vandalism, and presented dangers for inexperienced cavers with its vertical entrance and long sections of water passage at 46° F. It also has some of the largest bat populations in the Northeast. Initially, we decided to put a moratorium on publications about McFails, and this provided us some time to look for more positive protection.

One idea we began exploring was the possibility of purchase of the cave and making it a conservancy. Direct purchase for preservation had already been done with the Indiana Cave Conservancy. However, there were closer models of cave purchase in the area. Judge James L. Gage of Esperance, just 8 miles from McFails Cave, owned Gage (Balls) Cave and Schoharie Caverns. A local caver, Jack Childs, had purchased nearby Onesquethaw Cave.

The Nature Conservancy had been started a few years earlier, so we wrote them about whether they could take ownership of McFails. In their response, they said that they didn't have funds for the purchase, and they encouraged local groups to purchase and manage properties.

On December 30, 1962, a group of Cornell cavers including Ben Stone, Jack Hayes, Frank Howarth, and I decided to have a trip into McFails Cave during a severe blizzard (I cannot remember what our rationale might have been for this clearly ridiculous idea). A nearby farmer called a Civil Defense Rescue of the group and we emerged to find the snowy woodland full of dozens of fire departments, none of whom had any vertical or caving gear. Following this bogus "rescue," local residents wanted to seal the caves to prevent risk of future

caver accidents.

Frank Howarth and I went to talk with George Loeser. Loeser, a retired New York City news vendor living with his aged mother, wanted to keep the cave open to cavers to “keep the young people off the streets.” During our discussion, we noticed he was looking at a catalogue for small snow plows. He was having trouble keeping his driveway shoveled during the heavy snow storms that winter. He wanted a small tractor and snow plow that would cost \$600. I pointed out that with the money from selling the cave, he would be able to buy the tractor. However, Loeser didn’t want to reduce the resale value of his land by selling the woodland.

We continued to talk with Loeser during 1963. An important point for him was that he didn’t want any one group to prevent other cavers from enjoying the cave. A critical turning point came when Loeser asked “Isn’t there a cavers’ organization that could own the cave and take charge of cavers visiting the cave?” Cornell Grotto, active in the 1950s, had just been reorganized so I was able to answer Loeser, “Yes, the National Speleological Society, and we have a local chapter at Cornell.”

Finally, Loeser agreed to sell us the cave, if we could keep the land to the absolute minimum. We did a preliminary surface survey, and were able to reduce the land area to a long “dog-leg” strip of one acre. It included most of the entrances, but excluded Wicks Hole (which was a closed depression at that time, but has recently begun to re-open).

Cornell Grotto members attended the Spring 1964 Northeast Regional Organization meeting and discussed McFails cave, the status of exploration and the purchase. Northeast Regional Organization agreed with the non-publication policy until the cave could be protected.

I had been corresponding with NSS President Russell Gurnee about cave ownership. Gurnee advised that we consult with the NSS Legal Counsel, Judge James Gage (the local cave owner from Esperance, only 8 miles from McFails). Gurnee also discussed the liability problems, which had prevented NSS from owning caves up to that time. On August 12, 1964, Frank Howarth and I met with Judge Gage to discuss the McFails purchase.

Later the same day, we met with George Loeser and his council, Nellie Gordon, at her office in Cobleskill. Loeser said he wanted \$1,000 for the one acre of land, substantially higher than the \$600

he had mentioned earlier (he decided he needed a larger tractor). We would also pay surveying and legal fees. We blinked and said “Agreed,” with no idea where we (both graduate students) would find that much money.

I wrote James Gage outlining the main points of the purchase: (1) Loeser is willing to sell to an organized caving group who will agree not to close the cave to other cavers. (2) Loeser has agreed to sell the cave to the Cornell group as representing the NSS. (3) Problem of mineral rights—how can we protect the cave from mining? (4) If we buy land around the entrances and cave rights to Loeser’s property, we still don’t own the cave under other properties.

On September 10, 1964, I borrowed \$1,000 from the First National Bank of Cortland for the McFails purchase. Dr William A. Wimsatt, the noted bat specialist from Cornell University, co-signed the loan. Since I had no job or collateral at the time, the small-town bank approved the loan based our family name (my father, Gerald Stone, a Cortland County dairy farmer, had a reputation for re-paying his loans).

Late in September I left for Viet Nam for two years work with International Voluntary Services. Frank Howarth continued working on the McFails purchase until he and Nancy departed in late 1985 for International Voluntary Services work in Laos. I paid about \$750 of the McFails loan from my \$75 per month stipend with International Voluntary Services, and Frank and Nancy Howarth paid the rest from their International Voluntary Services stipends.

We hired Cobleskill Surveyor Floyd E. Snyder to survey the one acre of land in Loeser’s woods and the right-of-way. On October 22, 1964, Mr Snyder submitted the survey of the land and his bill for \$145.40, paid by the Cornell Outing Club. His survey was later found to contain several errors, and the land had to be re-surveyed.

On November 9, 1964, Loeser’s lawyer, Nellie Gordon, wrote James Gage enclosing copies of the title search and survey. She also said the Mr. Loeser was concerned because “Harvard spelunkers” had written him saying they were afraid they would be barred from the cave. She enclosed a statement to be included in the deed, stating that the NSS would permit any member of the NSS or its affiliates, upon application in writing, to visit

and explore the caves. A modified statement was included in the final deed (below).

Frank Howarth re-wrote the "permission clause" with advice from Judge Gage to allow the NSS to restrict entry into areas with cave species, vegetation, or minerals that might be endangered by entry.

On November 23, 1964, Judge Gage wrote to the NSS informing them that the Cornell Grotto had tentatively agreed to purchase McFails Hole and asking whether the NSS would take title to the property. NSS President George Moore responded on December 7, 1964, stating that the rules of the NSS permitted it to take title to a property on behalf of one of its internal organizations. A local group would have to assume current expenses. This letter allowed Howarth to proceed with the purchase.

Frank Howarth attended the Spring 1965 Northeast Regional Organization meeting and discussed the McFails purchase with NSS Board of Governors member Dick Anderson, following up with a letter on May 18 enclosing copies of the correspondence with James Gage.

Gage sent Howarth a copy of the revised deed on June 12, 1965, forwarded it to Miss Gordon for Loeser's approval, contingent on the approval of the Board of Governors.

At the 1965 NSS National Convention in Indiana, Frank Howarth presented a proposal to the

NATIONAL SPELEOLOGICAL SOCIETY, INC.
affiliated with the American Association for the Advancement of Science

Please address
reply to:

GEORGE W. MOORE
U. S. GEOLOGICAL SURVEY
MENLO PARK, CALIFORNIA

December 7, 1964

Mr. James L. Gage
Esperance, New York

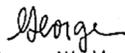
Dear Jim,

Thank you for your letter of November 23 concerning the planned purchase of McFails Cave, New York, by the Cornell Grotto. Your letter was our first information on this matter.

The rules of the National Speleological Society do permit it to take title to property such as this on behalf of one of its internal organizations. We would have to reserve the right possibly to sell the property later, if taxes or other expenses became burdensome; and the local group would have to assume current expenses.

Inclusion of the statement regarding examination of the non-sensitive parts of the cave by other Society members is quite satisfactory.

Sincerely,


George W. Moore
President

Copy: Thomas C. Barr, Jr.
Herbert L. Black
Donald N. Courmoyer
Russell H. Gurnee
Frederick D. Stone

Dedicated to the exploration, study, and conservation of caves

Figure 5. Letter from NSS President George Moore that allowed Cornell Grotto to proceed with the purchase of McFails Cave for the NSS.

Board of Governors that NSS accept ownership of McFails Hole. Frank was assisted by Russell Gurnee, Dick Anderson, Eugene Vehslage, and Ross Eckler (among others). The Board of Governors agreed that NSS could accept ownership, with the stipulation that a local NSS group take management responsibility and provide liability insurance. Cornell Grotto initially agreed to manage the McFails property while the McFails Cave Committee was established as an NSS internal organization, with representatives from each of the Northeast

Regional Organization grottos. The idea for this committee had been discussed during the previous three years in correspondence between me, Russell Gurnee, and several other members of Northeast Regional Organization and the NSS, including Lyle Conrad, Don Cournoyer, Dick Anderson, and Gene Vehslage. The deed for the McFails purchase was recorded August 2, 1965, in the Schoharie County Courthouse, between George Loeser and the National Speleological Society.

McFails Deed: Major points:

- Purchase includes a right of way for right of passage by foot, vehicle, or otherwise approximately 50 feet wide from the highway along the border of Loeser's land.
- Approximately one acre of land containing the entrances of McFails Hole, Acks Shack, Wicks Hole, Cave Disappointment, and a portion of the Hanors Cave sinkhole.
- The purchaser agrees not to destroy or damage farm lands, buildings, fences, and the seller agrees not to destroy or damage any of the caves by surface activities on the remaining farm lands.
- The purchaser agrees to permit any member of the NSS or its affiliated organizations, upon application in writing, to enter, visit, and explore the caves, reserving the right to supervise the sections of the caves or restrict exploration of such sections which contain specimens of animal, vegetable, or mineral substances which would be endangered by such visit or exploration.
- After the first 155 feet from the highway, the purchaser shall use vehicles on the right of way

only for transport of heavy equipment. At no time shall the purchaser permit such vehicles to park on the right of way, unless there is a breakdown, in which case they will be removed within 5 hours. The purchaser agrees to block the right of way approximately 155 feet from the highway, and to erect a sign forbidding driving beyond that point except as above limited.

Signed by George Loeser on the 2nd day of August, 1965.

Halls Hole Entrance

Warren Hall (NSS 17679) and crew, dug the Halls Hole entrance into Coeymans Dome on August 13, 1978, reducing the distance to and from the far reaches of the cave by about 3/4 of a mile. Since the NSS owns only the cave entrances (and mineral rights that affect the cave under the former Loeser land), purchase of any additional entrances is the only way of controlling access to the 7-mile-long cave. Fortunately, with rapid work by Bob Addis, the Tillapaugh family, who currently own the Loeser property, agreed to sell the new entrance to the NSS. The Board of Governors voted



*Figure 6. Halls Hole entrance, NCKMS fieldtrip, November 2005.
Photo by Fred Stone.*

to purchase 0.89 Acres around the Halls Hole entrance and right of way from the McFails property for \$200.

Liability and insurance

Now that NSS owned McFails entrance, the biggest concern was liability. Cornell Grotto had agreed to purchase liability insurance. Howarth and Ted Sobel from Cornell met with insurance agents in fall 1965. The agent for Jaquin & Company inspected the McFails property and wrote two pages of recommendations, including fencing and posting the land and having cavers sign a waiver before entering caves. Jaquin's annual premium of \$633 would cover \$100/300 million bodily injury and 50 million physical damage. This was way beyond what Cornell Grotto members could afford, so they did not purchase it.

On November 6 1965, Howarth wrote The Nature Conservancy asking about their policy on liability insurance on their land. Herbert Hiller from Nature Conservancy answered that they have a blanket policy for all their land. He said \$600 seems very high.

NSS legal counsel recommended closing the cave until liability insurance could be purchased. During 1966, Cornell Grotto placed posted signs near the entrances of McFails Hole, Acks Shack, Hourglass Sink (Featherstonaugh's Flop), Cave Disappointment and Hanors Cave stating that persons found on or in them would be guilty of trespassing and subject to arrest and fine. Scott Robertson, Cornell Grotto Chairman, wrote to the Northeast Regional Organization on October 15, 1966, informing them of the cave posting.

On December 15, 1966 Tom Barr, President of NSS, wrote Cornell Grotto to find out whether the purchase of McFails had been completed, taxes paid, liability insurance purchased, and a gate constructed. G. Warren Smith, responded that although Cornell had paid for insurance inspection, the Grotto did not have funds for liability insurance. Russell Gurnee and other NSS administrators also tried for many years to purchase liability insurance, without success.

Gage wrote Gurnee and Cournoyer in June 1967 citing relevant sections of New York law dealing with landowner liability. In summary, landowners were not liable for injury or death to trespassers

on land posted according to the state regulations. This regulation was given the ultimate test in the following year.

Another death in McFails Cave and legal responses:

A group from Mohawk Community College entered Acks Shack during spring snow melt in 1968, using an inadequate rope. Gerald Alderman was unable to exit the cave, and became stuck and died during the rescue attempt by the Carlisle Fire Department. Remaining members were fined \$25 each for trespassing, due to the trespass signs. No law suit was filed, making an important precedent for landowner protection on posted land with cave entrances.

Following threats by local people to blast the cave shut, NSS ownership or not, in September 1969 Scott Robertson, Ben Stone, and a Northeast Regional Organization group installed a gate at the top of Acks Shack pit. The gate was left open until December first, then locked shut. Copies of the key were left with Carlisle Fire Chief Ernie Bywaters, with instructions that NSS groups would inform him before entering McFails. The posted signs gave his name and phone number, and cavers were required to have a letter from the designated NSS representative allowing them to enter the cave. In spite of the signs, Chief Bywaters intercepted several groups attempting to enter McFails Cave without permission over the next several years, and they were arrested and fined.

The posted signs, fences, and Acks Shack gate, with the enforcement of Chief Bywaters, continued to be the most effective deterrent to cave entry.

National Speleological Society and Northeast Regional Organization:

Tom Barr set up the first NSS Committee on McFails Cave January 30, 1967, with Russell Gurnee, Chairman, and members Warren Smith, Cornell Grotto; James L. Gage, NSS Counsel; and Don Cournoyer.

Cornell Grotto, working through the Northeast Regional Organization, continued to provide local management decisions. The Northeast Regional Organization chairman took a major role in Cornell Grotto:

1. 1965: Frank Howarth until he left for Laos (Cornell Grotto)

2. 1965: Ted Sobel (Cornell Grotto)
3. 1966: Scott Robertson (Cornell Grotto)
4. 1967: G. Warren Smith (Cornell Grotto)
5. 1968: Alan W. Myers (Cornell Grotto, Northeast Regional Organization Chairman 1966-1968)
6. 1968: Ben Stone (Cornell Grotto, Northeast Regional Organization, McFails Committee)

Al Myers wrote the Northeast Regional Organization Grottos in April, asking that each grotto appoint one member to a McFails Committee. The committee was established at the 1968 spring Northeast Regional Organization meeting, with Ben Stone (Cornell Grotto) chairman, Wayne Foote (Met and Mohawk-Hudson Grotto), Ernst Kastning (Met and Mohawk-Hudson Grotto), Dave Goldman (Met Grotto), Alan Budreau (Boston Grotto), Peter Williams (Boston Grotto), Chuck Porter (Berkshire Grotto), Brian Pease (Central Connecticut Grotto), Chuck Hogan, and Ron Morris present. The main item was a threat that Al Polizzi was financing a survey of McFails by Steve Egemeir and John Merriman for the purpose of excavating an entrance and commercializing the cave. Fortunately, he never followed through with this scheme. (Budreau 1968)

The Northeast Regional Organization McFails Committee permitted all of the northeast grottos to participate in the development of management policies for the McFails property, and also provided NSS cavers an opportunity to seek permission to enter McFails Cave so long as they adhered to the policies of the McFails Committee. This model of interactive cave management led to development of policies responsive to cavers and cave scientists, while incorporating safety and conservation measures.

Wayne Foote, Northeast Regional Organization secretary-treasurer, corresponded with NSS administrator Don Cournoyer during fall 1969 about efforts to get title insurance for McFails. Foote contacted Edwards Insurance Agency (with Hartford Insurance), but they declined to offer insurance. Cournoyer responded that NSS had purchased title insurance on McFails for \$5,000 from Lawyers Title Insurance Corp., New York, New York. Lawyers have the abstract of title and title number on file.

Cournoyer had also purchased liability insur-

ance for both McFails land and Huntsville land, for \$89/year, 250/500,000 bodily injury and 100,000 physical damage. However, in December 1969, Young and Simon, the NSS insurance agency, cancelled the insurance policy. In spite of continuing efforts over the years to get liability insurance, no insurance company has agreed to provide affordable insurance up to the present. However, New York laws did provide adequate landowner protection, and this has been strengthened by a recent change in New York State landowner liability law that specifically lists caving as an exempted activity, effectively rendering the need for liability insurance a moot issue.

At the November 1969 Board of Governors meeting in Cobleskill, Wayne Foote gave an extensive report on McFails Cave on behalf of the Northeast Regional Organization. He outlined the McFails Cave Project, to encompass a detailed survey of the cave, and geological, hydrological, biological, and historical studies. This was the beginning of the next phase of McFails management, in which a series of McFails cave managers from the northeast area headed the Northeast Regional Organization McFails Committee (which became the NSS McFails Committee). Many northeast cavers worked on the McFails project, including Jon and Dody Dunning who studied the bat population, Art and Peggy Palmer, Ernst Kastning, and John McElroy who surveyed and studied the geology.

References

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