CENTRAL
OKLAHOMA
GROTTO
OF THE NATIONAL
SPELEOLOGICAL SOCIETY,INC

C.O.G.nizance

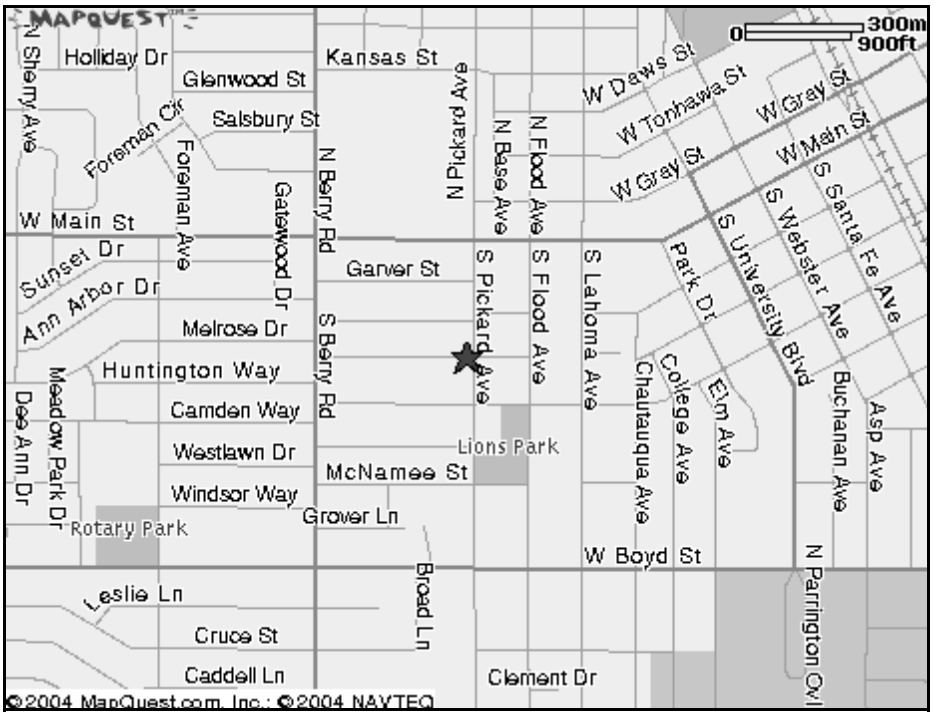
May, 2004

May's Meeting is at Roy's House

The May meeting of the Central Oklahoma Grotto will be held at Roy Diehl's home at 8:00 p.m. on Friday, May 14, 2004.

Address: 917 W. Eufaula, Norman

Telephone: 405-292-8330



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Direction's to Roy's House

Directions to Roy's house for the May meeting: Coming from I-35, exit on to East Main St. in Norman. Continue east approximately 1 mile to Berry (a stoplight is at the intersection) and turn south. Drive south 3 blocks and turn east on Eufaula. I live on the north side of the street about mid-way down the block at 917. If you become disoriented, call 405/292-8330 for assistance.

ANNOUNCEMENTS

*Northwest trips are scheduled the third Saturday of every month. Contract Sue or John Bozeman for details.
*Southwest trips are scheduled the first Saturday of every month. Contact Lil Town for details.
*The May meeting will be at Roy Diehl's house, 917 W. Eufaula, Norman. His phone number is 405-292-8330.

MINUTES

CENTRAL OKLAHOMA GROTTO
Minutes of the April 9, 2004 meeting

Host: Dale Amlee and family

Members present: Dale Amlee and son Nick, Anne Ault, Sue and John Bozeman, G'Ann Ellis, new member Jerry Steigerwald, John Talbot, Lil and Technocaver Dale Town, John Van Dyke, Jon Woltz, and Steve Beleu.
Guest: the Bozeman's longtime friend Tom Roche, from Addison, Illinois

Vice-Chairman Jon Woltz began the meeting at 8:07

OLD BUSINESS

1. COG Website Lead Officer Duane Del Vecchio was not present to report about his construction of the COG website. But Lil said that in the future she would prepare the *COGnizance* as a PDF file to send to Duane for ease of posting.
2. Annual Carlsbad Trip Lead Officer Del Vecchio could also not report about our upcoming pilgrimage there on June 11.
3. We plan to possibly have our June meeting at Mr. Del Vecchio's abode on June 4, since we will be burning rubber over to the Carlsbad Caverns locale on our normal meeting night.

NEW BUSINESS

1. Jerry Steigerwald became a COG member on this night.
2. I gave a state-of-the-knowledge report about treating crotalid envenomation, aka snakebite.

TREASURER'S REPORT

John Talbot read his report, which is included in this newsletter.

Vice-Chairman Woltz concluded the meeting at 8:54:27

Minutes by Whoever, Whatever

TREASURER'S REPORTS

INCOME		**EXPENSES**	
DIVIDEND	$ 5.21	POSTAGE	$ 22.71
DUES	$ 18.00		
NEWSLETTER SALES	$ 24.00		
TOTALS	**$ 47.21**		**$ 32.71**
CASH ON HAND	**$** 103.54		
CHECKING	$ 321.34		
SAVINGS	$ 2,576.23		
TOTAL FUNDS AS OF 4/6/04	**$2,986.61**		

APRIL, 2004

PREPARED BY TREASURER

JOHN TALBOT

TRIP REPORTS

Sorry, April was not a good caving month. There are no trip reports due to rain! Except, Sue and John did go to Refrigerator Cave, but decided not to do much because of the 3 foot rattlesnake that was guarding the entrance! I'm sure they will tell more about this confrontation at the next meeting.

POTPOUURI

Sue Selman asked Sue Bozeman to send her a copy of a document known as "The Texas Sportsmen Liability Release Law." She is interested in trying to get a similar bill signed into law for the state of Oklahoma.

Gerald Atkinson (Jerry), who is on the board of Directors of Texas Speleological Survey, sent a copy in its entirety. Professor Diana Tomchick with the DFW and Maverick Grottoes sent information on whom to contact if Sue Selman needed more data. Thanks to all these people for taking such an interest and have given their time to help us.

Here is a copy of the Texas document.

CIVIL PRACTICE & REMEDIES CODE CHAPTER 75. LIMITATION OF LANDOWNERS' LIABILITY

Sec. 75.001. DEFINITIONS. In this chapter:

(1) 'Agricultural land' means land that is located in this state and that is suitable for:

(A) use in production of plants and fruits grown for human or animal consumption, or plants grown for the production of fibers, floriculture, viticulture, horticulture, or planting seed;

(B) forestry and the growing of trees for the purpose of rendering those trees into lumber, fiber, or other items used for industrial, commercial, or personal consumption; or

(C) domestic or native farm or ranch animals kept for use or profit.

(2) 'Premises' includes land, roads, water, watercourse, private ways, and buildings, structures, machinery, and equipment attached to or located on the land, road, water, watercourse, or private way.

(3) 'Recreation' means an activity such as:

(A) hunting;
(B) fishing;
(C) swimming;
(D) boating;
(E) camping;
(F) picnicking;
(G) hiking;
(H) pleasure driving;
(I) nature study, including bird-watching;
(J) cave exploration;
(K) waterskiing and other water sports;
(L) or any other activity associated with enjoying nature or the outdoors.

(4) 'Governmental unit' has the meaning assigned by Section 101.001.

Acts 1985, 69th Leg., ch. 959, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 62, Sec. 1, eff. Sept. 1, 1989; Acts 1989, 71st Leg., ch. 736, Sec. 1, eff. Sept. 1, 1989; Acts 1995, 74th Leg., ch. 520, Sec. 1, eff. Aug. 28, 1995; Acts 1997, 75th Leg., ch. 56, Sec. 1, eff. Sept. 1, 1997.

Sec. 75.002. LIABILITY LIMITED. (a) An owner, lessee, or occupant of agricultural land:

(1) does not owe a duty of care to a trespasser on the land; and

(2) is not liable for any injury to a trespasser on the land, except for wilful or wanton acts or gross negligence by the owner, lessee, or other occupant of agricultural land.

(b) If an owner, lessee, or occupant of agricultural land gives permission to another or invites another to enter the premises for recreation, the owner, lessee, or occupant, by giving the permission, does not:

(1) assure that the premises are safe for that purpose;

(Continued on page 3)

(2) owe to the person to whom permission is granted or to whom the invitation is extended a greater degree of care than is owed to a trespasser on the premises; or

(3) assume responsibility or incur liability for any injury to any individual or property caused by any act of the person to whom permission is granted or to whom the invitation is extended.

(c) If an owner, lessee, or occupant of real property other than agricultural land gives permission to another to enter the premises for recreation, the owner, lessee, or occupant, by giving the permission, does not:

(1) assure that the premises are safe for that purpose;

(2) owe to the person to whom permission is granted a greater degree of care than is owed to a trespasser on the premises; or

(3) assume responsibility or incur liability for any injury to any individual or property caused by any act of the person to whom permission is granted.

(d) Subsections (a), (b), and (c) shall not limit the liability of an owner, lessee, or occupant of real property who has been grossly negligent or has acted with malicious intent or in bad faith.

(e) In this section, 'recreation' means, in addition to its meaning under Section 75.001, the following activities only if the activities take place on premises owned, operated, or maintained by the state or a municipality or county for the purposes of those activities:

(1) hockey and in-line hockey; and

(2) skating, in-line skating, roller-skating, skateboarding, and roller-blading.

(f) This section limits the liability of the state or a municipality or county only for those damages arising directly from a recreational activity described in Subsection (e) but does not limit the liability of the state or a municipality or county for gross negligence or acts conducted in bad faith or with malicious intent.

(g) Any premises the state or a municipality or county owns, operates, or maintains and on which the recreational activities described in Subsection (e) are conducted shall post and maintain a clearly readable sign in a clearly visible location on or near the premises. The sign shall contain the following warning language:

WARNING

TEXAS LAW (CHAPTER 75, CIVIL PRACTICE AND REMEDIES CODE) LIMITS THE LIABILITY OF THE STATE AND A MUNICIPALITY OR COUNTY FOR DAMAGES ARISING DIRECTLY FROM HOCKEY, IN-LINE HOCKEY, SKATING, IN-LINE SKATING, ROLLER-SKATING, SKATE-BOARDING, OR ROLLER-BLADING ON PREMISES THAT THE STATE OR THE MUNICIPALITY OR COUNTY OWNS, OPERATES, OR MAI TAINS FOR THAT PURPOSE.

(h) An owner, lessee, or occupant of real property in this state is liable for trespass as a result of migration or transport of any air contaminant, as defined in Section 382.003(2), Health and Safety Code, other than odor, only upon a showing of actual and substantial damages by a plaintiff in a civil action.

Acts 1985, 69th Leg., ch. 959, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 62, Sec. 2, eff. Sept. 1, 1989; Acts 1997, 75th Leg., ch. 56, Sec. 2, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 734, Sec. 1, eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 204, Sec. 21.01, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 739, Sec. 1, eff. Sept. 1, 2003.

Sec. 75.003. APPLICATION AND EFFECT OF CHAPTER. (a) This chapter does not relieve any owner, lessee, or occupant of real property of any liability that would otherwise exist for deliberate, willful, or malicious injury to a person or to property.

(b) This chapter does not affect the doctrine of attractive nuisance, except that the doctrine may not be the basis for liability of an owner, lessee, or occupant of agricultural land for any injury to a trespasser over the age of 16 years.

(c) Except for a governmental unit, this chapter applies only to an owner, lessee, or occupant of real property who:

(1) does not charge for entry to the premises;

(2) charges for entry to the premises, but whose total charges collected in the previous calendar year for all recreational use of the entire premises of the owner, lessee, or occupant are not more than 20 times the total amount of ad valorem taxes imposed on the premises for the previous calendar year; or

(3) has liability insurance coverage in effect on an act or omission described by Section 75.004(a)

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and in the amounts equal to or greater than those provided by that section.

(d) This chapter does not create any liability.

(e) Except as otherwise provided, this chapter applies to a governmental unit.

(f) This chapter does not waive sovereign immunity.

(g) To the extent that this chapter limits the liability of a governmental unit under circumstances in which the governmental unit would be liable under Chapter 101, this chapter controls.

(h) In the case of agricultural land, an owner, lessee, or occupant of real property who does not charge for entry to the premises because the individuals entering the premises for recreation are invited social guests satisfies the requirement of Subsection (c)(1).

Acts 1985, 69th Leg., ch. 959, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 832, Sec. 5, eff. Sept. 1, 1987; Acts 1989, 71st Leg., ch. 62, Sec. 3, eff. Sept. 1, 1989; Acts 1995, 74th Leg., ch. 520, Sec. 2, eff. Aug. 28, 1995; Acts 1997, 75th Leg., ch. 56, Sec. 3, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch. 429, Sec. 1, eff. Sept. 1, 2003.

Sec. 75.004. LIMITATION ON MONETARY DAMAGES FOR PRIVATE LANDOWNERS. (a) Subject to Subsection (b), the liability of an owner, lessee, or occupant of agricultural land used for recreational purposes for an act or omission by the owner, lessee, or occupant relating to the premises that results in damages to a person who has entered the premises is limited to a maximum amount of $500,000 for each person and $1 million for each single occurrence of bodily injury or death and $100,000 for each single occurrence for injury to or destruction of property. In the case of agricultural land, the total liability of an owner, lessee, or occupant for a single occurrence is limited to $1 million, and the liability also is subject to the limits for each single occurrence of bodily injury or death and each single occurrence for injury to or destruction of property stated in this subsection.

(b) This section applies only to an owner, lessee, or occupant of agricultural land used for recreational purposes who has liability insurance coverage in effect on an act or omission described by Subsection (a) and in the amounts equal to or greater than those provided by Subsection (a). The coverage may be provided under a contract of insurance or other plan of insurance authorized by statute. The limit of liability insurance coverage applicable with respect to agricultural land may be a combined single limit in the amount of $1 million for each single occurrence.

(c) This section does not affect the liability of an insurer or insurance plan in an action under Article 21.21, Insurance Code, or an action for bad faith conduct, breach of fiduciary duty, or negligent failure to settle a claim.

(d) This section does not apply to a governmental unit.

Added by Acts 1995, 74th Leg., ch. 520, Sec. 3, eff. Aug. 28, 1995. Amended by Acts 1997, 75th Leg., ch. 56, Sec. 4, eff. Sept. 1, 1997.

Update of the Endangered Species Act

Further information at: http://fws.gov

The U.S. Fish and Wildlife Service published an updated list of Candidates for the Endangered Species Act. Twenty-six new candidate species, which includes five cave beetles, have been added to the list since the Candidate Notice of Review was last published in 2002 . The report also includes 19 species that have been removed from the list of candidates.

Reasons for removing a species from the list includes: current information doesn't support a listing proposal; the proposal was withdrawn; or the species becomes listed as endangered.

Unfortunately, the California Tiger Salamander is now on the endangered list. This species is found in California and resembles our Barred Tiger Salamander.

Another species that has been put on the endangered list is the Tumbling Creek Cavesnail. Not knowing why a snail would want to be saved and if it really did live in a cave, I looked for more information about it. I found out it does live in a cave, is found only in a certain region in Missouri, and is important to the cave ecosystem.

Since I am the editor and I don't have cave reports to published, I decided information about the cavesnail was interesting enough to share! Lil Town

The Tumbling Creek Cavesnail

Copied from the W.S. Fish & Wildlife Service
http://midwest.fws.gov/endangered/Snails/tcca_fct.html

The Tumbling Creek cavesnail has been listed by the U. S. Fish & Wildlife Service as an endangered species. Endangered species are animals and plants that are in danger of becoming extinct. Threatened species are animals and plants that are likely to become endangered in the foreseeable future. Identifying, protecting, and restoring endangered and threatened species are the primary objectives of the U.S. Fish and Wildlife Service's endangered species program.

What is the Tumbling Creek Cavesnail?

Scientific Name - *Antrobia culveri*

Appearance - The Tumbling Creek cavesnail is a small (1/10 inch long) snail that lives in a stream that flows through Tumbling Creek Cave. Typical of many cave-dwelling species, it is blind and pale-colored. The body is white and the shell is pale yellow and has three whorls.

Range - As its name implies, this snail is found only in Tumbling Creek Cave which is in Taney County in southwestern Missouri.

Habitat - The Tumbling Creek cavesnail lives on the underside of large rocks in areas of Tumbling Creek that have little or no silt. Not much is known about the species and its life history, but it is thought to feed on microscopic animals in the stream. The cavesnail occurs in areas of the cave stream that are adjacent to large deposits of bat guano, so it is thought that they may be dependent, indirectly, on the deposits.

Population Trends - Monitoring of population trends during the last six years revealed a continued and accelerated decline. A March 2001 thorough survey of all available and accessible habitat yielded only 40 individuals. Surveys conducted from May 2001 through May 2002 found no snails in the established survey area and only a few individuals in a location upstream from the main survey area.

Why is the Tumbling Creek cavesnail endangered?

Exact reasons for the alarming decline in the cavesnail's population numbers are currently unknown but the following are thought to be contributing factors:

Poor Water Quality - The cavesnail may be threatened by actions in the cave's recharge area (the area of land that feeds water to the cave stream) that degrade Tumbling Creek's water quality. Turbidity in the stream - a possible threat to the snails - has noticeably increased over time. This is possibly due to increased erosion caused by the removal of streamside vegetation and livestock overgrazing on steep slopes within the recharge area. Other potential sources of pollution include the drainage of barnyard and feedlot wastes and the discharge of treated sewage into sinkholes. Accidental chemical spills and dumping trash into sinkholes also threaten Tumbling Creek's water quality. Turbidity and pollution may harm the cavesnails directly, or may somehow allow other cave stream animals to "out compete" the snails.

Residential Development - Tumbling Creek Cave is about 30 miles from Branson, Missouri, which is a rapidly expanding residential and tourist area. It is likely that there will be increased demands for recreational and residential development within the cave's recharge zone, as Branson expands and people continue to visit the area.

What is being done to prevent extinction of the Tumbling Creek cavesnail?

Listing - The Tumbling Creek cavesnail has been added to the U.S. List of Endangered and Threatened Wildlife and Plants, providing the protection of the Endangered Species Act.

Surveys - Population numbers of the Tumbling Creek cavesnail have been regularly monitored since 1996 using a standardized sampling protocol.

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Recharge zone mapped - The cave's owner, an expert cave hydrologist and geologist, mapped the recharge zone of the cave; this may help identify the source of threats within the recharge area and pinpoint areas where conservation actions are needed.

Habitat Protection - The cave and 395 adjoining acres were designated as a National Landmark and included on the National Registry of Natural Landmarks. About 25 percent of the recharge zone is owned and managed by the USDA Forest Service and the U.S. Army Corps of Engineers. Private landowners in other parts of the recharge area are reducing erosion and pollution of the underground water system by stabilizing stream banks, re-establishing vegetation in overgrazed areas, and removing trash from gullies.

What can I do to help prevent the extinction of species? Learn - Learn more about the Tumbling Creek cavesnail, why cave stream systems are barometers of aquifer water quality, and why cave streams should be protected. Tell others about what you have learned.

Protect - Protect water quality by minimizing use of lawn and pasture chemicals (i.e., fertilizers, herbicides, and insecticides), recycling used car oil, and properly disposing of paint and other toxic household products.

Join - Join a conservation group, many have local chapters, or volunteer at a local National Wildlife Refuge, nature center, or zoo.

Why Save a Cavesnail?

Tumbling Creek Cave has high species diversity and supports a large maternity colony of endangered gray bats. Because the cavesnail inhabits Tumbling Creek, the species is an excellent barometer of water quality within the cave's recharge area. Actions that protect the cavesnail from extinction will conserve the cave, its other inhabitants, and local water quality.

UPON FURTHER RESEACH, A MISSOURI GROTTO ASKED TO HELP

I read the minutes taken during the Wednesday, June 4, 2003 meeting of the Chauteau Grotto meeting. The minutes included that Ozark Underground Laboratories: Tom Aley from Ozark Labs was looking for volunteers to help clean land near Tumbling Creek Cave, home of the endangered **Tumbling Creek Cavesnail.**

The land was a poorly ran animal feeding and rehabilitation operation. Tom and other are trying to restore the land and hopefully improve the water quality. Interested grotto members were asked to participate with the cleanup.

It was interesting that a grotto was taking an interested in preserving a local cave of theirs.

EDITOR'S NOTE: FORGIVE ME IF THIS HAS ALREADY BEEN PUBLISHED!

SALAMANDERS - 5

Written by Steve Beleu

1
Snow on the fields, ice on the trees,
We fly like bats to the cave's entrance.

2
Bat flight--black smoke leaps, soars, wheels,
And disappears into the hungering night.

3
Every breakdown rock we push ourselves past
Scrapes us like sleeping dragons' teeth.

4
Carbide smoke whirls all around us
Eager to explore ahead and scoop passage.

5
Someday when we come out of our caves
The world above will have changed completely

And we will be the cave creatures.

Central Oklahoma Grotto is a non-profit organization and a chapter of the NSS (National Speleological Society), Cave Avenue, Huntsville, AL., 35810. Dedicated to cave conservation and safety, C.O.G. published general information in a monthly newsletter ($6.00/year) and detailed cave surveys and related Speleological items in a yearly publication, *The Oklahoma Underground* ($3-$8/issue) Membership is by sponsor and is $12 per year for adults, $6 for spouses and students, and $3 if under 18. Central Oklahoma Grotto meets once a month on the second Friday of each month. For information, write 3208 Gettysburg Dr., Altus, Oklahoma, 73521. All submissions to the newsletter should be sent to the editor: Lil or Dale Town, 3208 Gettysburg Dr., Altus, OK 73521: Telephone: (580)477-4027: E-mail: oklmt@cableone.net. The deadline for submissions for any particular month's issue is the 20th day of the previous month. If you wish material returned. Please include a SASE with submission. All materials in this newsletter is available for reproduction, provided proper credit is given with the article when you print it. Trade publications are welcomed. *Cave softly and safely!*

Don't forget to come to the May meeting at the Diehl's house on May 14!

Central Oklahoma Grotto
C/o 3208 Gettysburg Drive
Altus, Oklahoma 73521