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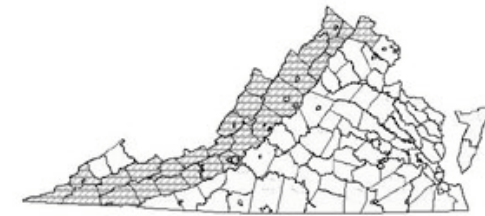
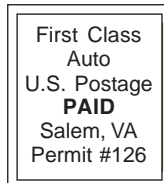
For additional information please contact the
Virginia Department of Conservation and Recreation, Division of Natural Heritage, 217 Governor Street, Richmond, VA 23219-2010.

We're on the Web! Visit us at:

http://www.dcr.virginia.gov/natural_heritage/cavehome.shtml

**Department of Conservation and Recreation
Division of Natural Heritage
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RETURN SERVICE REQUESTED



VIRGINIA CAVE OWNERS NEWSLETTER

A publication of the Virginia Cave Board, Department of Conservation and Recreation No. 17. June 2007

Dear Caver Owners and Friends

By Thomas Lera, Chairman, VCB

I am pleased to tell you The Virginia Cave Board (VCB) is alive and well. We have several new board members and a new chair. In addition, we have two established committees to help you. Our Education Committee has materials available to assist in protecting your caves from vandalism. We can provide materials to help teachers educate their students and cave conservation handouts for the general public. Program materials and even guest speakers are available as well.

Our Technical Committee has qualified professionals in the sciences who can determine if the critters in your cave are on the threatened and endangered species list, and if storm water runoff or potential development will adversely impact your cave.

I am asking you, our fellow cave owners, for additional help. Not in the sense that we need funds or equipment, but by telling us what more we can do to help you conserve and protect your cave, your land, and your valuable resources. I

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promise you the VCB will greet your ideas enthusiastically. Those of us dedicated to conserving caves and their inhabitants remain continually available to respond to your questions. Together we are working to safeguard Virginia caves.

The VCB is a powerful voice in conservation. There is strength in numbers. By playing a more active role, you will discover the joys of accomplishing real benefits towards the cave resources you care so much about. Tell your friends about us. Drop us a note and we will add their names to our mailing list.

Land Conservation in Virginia

Why should you protect your land?

Owning land takes a lot of time and effort, and you work hard to maintain your property. Often, the rising cost of land might make it more difficult for you to hold on to your family's legacy. Land conservation options can provide a way to permanently protect the land you love, often without giving up ownership.

Landowners who willingly donate their land

or conservation easements are making a difference in their communities. Along with protecting scenic views and important natural resources, these landowners ensure that their properties will remain as open space. An easement donation also can motivate a landowner's neighbors to do the same, leading to the protection of larger landscapes in the local community and region.

While many people donate easements

because of their love of the land and their desire to see it protected, there are also significant tax advantages associated with a donation. For many easement donors, this translates into substantial savings on their federal, state and local tax bills.

For example, the value of an easement donation that meets federal tax requirements is considered a charitable deduction, and a percentage of the appraised value of the easement can be deducted from the donor's income. Virginia allows easement donors to receive a state tax credit for a portion of the value of the easement, which may be used over a number of years until the credits are fully expended. The donor may use the credits to offset taxes owed, or sell unused credits to other Virginia taxpayers.

In addition, federal estate tax benefits may make it possible for many families to pass their properties on to their children, with significant savings on inheritance taxes. For more information about tax benefits associated with land conservation options, refer to the *Tax Benefits of Land Conservation in Virginia* brochure available through the Office of Land Conservation at the Department of Conservation and Recreation (DCR).

How can you protect your land?

If you have some property that you would like to protect, there are several options that you can tailor to your situation. Some options allow sale or donation of your land to a conservation organization; some allow you to keep your property with development restrictions; others allow you to donate your property in your will.

Fee simple donations

This option involves a sale or donation of the "fee simple title" or deed to a conservation organization. The value of the donated land may qualify for a federal tax deduction, and can also reduce your real-estate taxes. You can also donate your land to the organization as a bequest in your will, which can significantly reduce estate taxes. It

is important to work with the organization as you draw up your will to ensure that the donation achieves what you desire.

A "bargain sale" is the sale of your property at a price below fair market value. The difference between the sale and your property's fair market value is a charitable donation. This option reduces the capital gains tax on the sale, and income tax and estate tax reductions may result as well.

The life estate option is similar to fee simple donations in that you donate your land to a conservation organization, but you can include a provision that you will continue living on the property until your death.

Conservation and open space easements

A conservation easement is a legal document made between a land owner and a public body or a certified easement-holding organization. This type of land conservation allows the landowner to give away certain agreed-upon rights to their property while retaining ownership rights. Many of the rights that are given away limit present and future development of the property. Traditional uses, such as agriculture and forestry may continue, and the natural, historical, and cultural features may be preserved. Giving up development rights to your property lowers its fair-market value, thus reducing real property, estate and inheritance taxes.

The land conservation organization that holds your easement is responsible for performing monitoring inspections of your property to ensure that all agreements made in the easement are followed. Generally, no other public or outside access is allowed without your permission

Who accepts conservation easements?

In Virginia, easements can be donated to a number of public and private entities. The majority of conservation easements are donated to the Virginia Outdoors Foundation (VOF), a state agency established by the Virginia General

generated without a looming statewide publication to act as a catalyst. We seem to be finding, studying, mapping and reporting our caves because we're devoted to them. And because we like to. The next decade may very well prove to be the most rewarding yet. 📷

Virginia Region Landowners Recognition Award

By Janet Tinkham, Virginia Region, Landowners Recognition Committee Chair

The Virginia Region (VAR) Landowner Recognition Award was established in 1992 to formally recognize landowners who have been particularly friendly and/or supportive of cavers over the years. This is an award that materialized through the efforts of Don Anderson, a long time VAR caver. Don, along with fellow cavers recognized the importance of landowner relations and the contributions they make to the caving community.

It's not just about access to caves. This award is a way for cavers to say thank you to landowners who have over the years bestowed us

with friendship and hospitality. The award consists of an engraved plaque and a more detailed certificate of appreciation that mentions John Starnes (Buddy) Penley, a cave landowner in whose honor the award was established.

The 2006 recipient of the VAR Landowner Recognition Award was Steve Silverberg, the owner of Lost World Caverns in Lewisburg, WV, and his staff. Not only has Mr. Silverberg offered his friendship, but he has been extremely generous as well. Over the years West Virginia Cave Conservancy (WVCC) has been allowed to hold meetings at Lost World Caverns and have been given gift shop items to use as fundraisers. As for cave conservation, Mr. Silverberg makes the effort to refer people to WVCC and to the National Speleological Society (NSS) and he took personal interest in developing a more environmentally friendly way to reduce mildew in caves. These are just a few examples of the actions that deserve acknowledgement.

Additional information and an online nomination form are available on the Virginia Region website: <http://www.varegion.org/var/awards/landownerawards.shtml> 📄



Dr. John R. Holsinger had already taken the reins as director of the Virginia Cave Survey. Holsinger considered 1,627 caves to be “of record” at that point. Douglas had included many vague references and “FRO’s” [for recording only] with no specific locations in his book. Holsinger, in an attempt to include only proven caves in the survey, deleted most of these unsubstantiated leads (subsequently many of these deleted references and leads have been confirmed to exist and have been re-added to the database).

Holsinger knew that many caves were still to be found and described in Virginia. With a contagious energy and enthusiasm he continued the survey with much support from the region. A ten year effort culminated when he produced *Descriptions of Virginia Caves* in 1975. This work listed 2,319 caves, although with reports received after the publishing deadline and with deleted caves that would later be added back into the database, the total at the end of Holsinger’s directorship would total 2,422.

Many changes occurred after John Holsinger stepped down as Director and Phil Lucas took over leadership of the survey. The name of the organization itself was changed from the Virginia Cave Survey to the Virginia Speleological Survey, eventually receiving survey status with the NSS. The VSS also became a Virginia corporation as a non-profit, tax-exempt science organization. Most importantly, in terms of caver involvement, instead of consisting only of the director, the Survey was now governed by a board of directors comprised of cavers active in Virginia. Initially the members of this board were themselves elected by the Virginia Region.

However several other factors had a profound adverse effect on the number of cave descriptions submitted during this period. First, with the publication of *Description of Virginia Caves* complete, the driving and unifying force that accompanies the goal of compiling such a book was absent. This dropoff is actually best seen in the final years of Holsinger’s reign itself. There

was a dramatic downturn in cave reports that occurred from 1972 through 1974 as the focus of the survey went from data collection to the publication of the manuscript.

Second it became apparent that the world had changed. Conservation began to play a very important role in the minds of most area cavers. It became obvious that publishing a state cave survey with locations could have an undesired impact. We will not do this again. The Virginia Region itself began to change to a caving organization that focused more and more on conservation and recreation.

Third, big new discoveries and project surveys in West Virginia soaked up the time and energy of a lot of cavers who might otherwise be caving in Virginia. This really started in 1973 or so, near the end of Holsinger’s publishing deadline. It still continues today, although perhaps the tide started to swing back toward Virginia in the late eighties. During this 14-year period, some assumed that there wasn’t that much left to find in Virginia. New cave reports slowed to a rate of 35 per year. The phrase “Virginia is caved out” was heard. But it turns out that we just weren’t looking

The late eighties and nineties brought Virginia out of the new cave doldrums. Many county surveys were formed around this time. These surveys were responsible for reports on many new caves. But new discoveries were being made by cavers all over the state. Many were exciting discoveries. Old caves were pushed hard and when fully surveyed turned out to be much longer than previously thought. Careful fieldwork showed entrances overlooked in the past. Amazingly, many areas simply had never been looked at before. Perhaps most importantly though, digging showed that many more caves were there waiting to be found for those willing to put in the time, effort and determination to get into them. Lots of caves. Big caves. Deep caves. Pristine caves.

From 1987 to present, 1,162 caves have been reported. And we seem to be picking up steam. It’s encouraging that this amount of data has been

Conservation Easements: One Owner’s Experience

By Judy Molnar, *Virginia Living Museum*

If you own a piece of land and you want to develop it, a whole support network of professionals exists who make their living developing real estate. But if you don’t want your land developed, who do you turn to for help? Let’s follow the experiences of a Virginia cave owner as he explored his options.

Scott Geller purchased his Giles County property in the 1980s and planned to build a lodge on it. There was no mention of a cave on the property when the sale was made. Eventually Scott learned from local people and cavers that the cave on the land, called The Smokehole, had an interesting local history and special biological values.

The property, with pastureland, forest, two sinkholes, a spring emerging from one of the cave entrances, and a great hilltop view, became a serene retreat for Scott, especially after building his lodge and establishing his business there. As time went on, Scott noticed local development projects approaching his property, and about five years ago he mentioned to his accountant his desire to preserve the land from this development permanently. The accountant made Scott aware of Virginia’s attractive conservation easement tax credit program through the Virginia Outdoors Foundation (VOF), local land trusts, local governments, and other qualified easement holders. Some time passed before Scott was seated beside Beth Obenshain, Executive Director of the New River Land Trust at a Virginia Tech dinner. Their conversation galvanized Scott’s decision to begin the conservation easement process. Beth and her staff came out to look over Scott’s property and to write the document to present to the Virginia’s Outdoors Foundation which accepted the easement. Scott’s land was less than the

Assembly to hold easements in public trust. The Virginia Department of Historic Resources, the Department of Conservation and Recreation and other government agencies may also accept easements. Additionally, easements may be held by qualified non-profit conservation organizations.

Natural Area dedications

This option can preserve land with significant natural features such as habitat for rare, threatened or endangered plant or animal species, rare or significant natural communities, or rare or significant geologic sites. If DCR determines that your property has one or more of these features, a deed of dedication similar to a conservation easement will place your property into Virginia’s Natural Area Preserve System. With a deed of dedication on your land, you will retain ownership and transfer rights, but activities that are incompatible with conservation of the natural habitat values will be restricted from the property. As with conservation easements, this option may provide some financial incentives in the form of reduced assessment for real estate purposes, reduction of federal estate taxes, and a charitable donation for income tax purposes. 🏠

For more information, contact DCR’s Land Conservation Coordinator at (804) 225-2048 or visit <http://www.dcr.virginia.gov/olc>.

DCR does not provide legal, accounting, or other professional services.

For legal advice or other expert assistance, please consult with experienced professional advisors.

Thanks to the Piedmont Environmental Council for their help with this material.

minimum of 50 acres that is usually accepted for a conservation easement. There were a lot of things going for this real estate. Scott's property is surrounded by farmland and the Jefferson National Forest. It falls within a rural Historic District listed in the Virginia Landmarks Registry and a National Register of Historic Places. But the cave on the property turned out to be the major reason why VOF accepted the easement. Smokehole Cave is rated a significant cave by the Virginia Department of Conservation and Recreation's Division of Natural Heritage for biological, aesthetic, geological, and hydrological reasons. Because of the outstanding conservation value of the property, the VOF waived the minimum acreage requirement for the easement.

The VOF created an easement document based on the information Beth and others gathered on the property, and that document went back and forth between Scott, his lawyer, and VOF. The easement document had to spell out for Scott and any heirs or assigns what could and could not be done on the property once the easement was established. For example, any changes to the property would have to be approved by the VOF. All buildings already in place could remain; any other building on the property would have to be approved with limits as to the size and height of any new structures. Scott chose to have the easement assure that no cattle can be kept on the property nor can timber be harvested; however, most landowners choose to allow cattle and timber harvest in their easements.

From the first serious documents submitted to the final approval of the easement, including the appraisals, meetings with lawyers and other parties involved, it's taken about a year to come through the easement process. The easement was finalized in the last months of 2006. All heirs and assigns must legally preserve and maintain Scott's property as set down in the conservation easement forever.

Every easement is a unique document that takes into account the one-of-a-kind qualities of each property and wishes of each owner to leave a

lasting legacy. To get a sense of how the easement process progresses, visit the VOF website at www.virginiaoutdoorsfoundation.org/10steps.html "It was a more involved experience than I realized but I still feel good about it," Scott said to me over the phone. "It's a good feeling knowing the property you love will be there for generations to come. The tax benefits outweigh the costs for most people. But for me, I'm doing it so generations from now can still have the experience of going into the cave and enjoying the property." [Editors Note: This easement allows for public access; most easements specify 'limited public access' or access with landowner permission.]

Do you want your property to be a legacy? Many land trusts in Virginia have helpful professionals who make their living protecting private land. You can find them listed at http://www.dcr.virginia.gov/land_conservation/wheretofind.shtml or contact DCR's Office of Land Conservation 804-225-2048, email landcon@dcr.virginia.gov.

The author wishes to thank Scott Geller for taking the time to be interviewed, and Scott and DCR staff for reviewing this article for accuracy. 📧

This article appeared in the March 2002 issue of Virginia Cellars, a publication of the Virginia Speleological Survey (VSS). The VSS is a small, non-profit, volunteer organization that collects, maintains, and distributes information regarding the cave and karst resources in Virginia. We are an official internal organization (survey) of the National Speleological Society (NSS) and have been around under the current name since 1974.

The article contains a lot of jargon in "caver talk" but it will give the reader a good idea about the history of cave exploration in Virginia. This past October, I stepped back from VSS President to become Bath County Director and database manager.

Once a cave's location is reported to the VSS and a description prepared, the cave's existence is recorded in the VSS database. Anyone can report a cave and a convenient way is to visit the VSS web site <http://www.virginiacaves.org> and click on report forms located in the left hand column. At this site, you will also find lots of information about the VSS and its activities.

The VSS has had a long association with the Virginia Cave Board since its inception. The VSS played a key role in the development of the Significant Cave List, in which the 10 percent most significant caves in Virginia have been described.

Four Thousand and Counting

By Phil Lucas and Dave Collings

Recently the 4000th cave report was submitted to the VSS, a major milestone, and a nice round number. Jim West of Barbourville, Kentucky submitted the report on Virginia's 4000th cave, Rams Head Cave in Lee County. Thanks Old Yellow Hat, you've made a difference. Here's a little background on how we reached that 4000 mark.

We got started pretty early, in 1769 to be exact, when Daniel Boone described Batie Creek Natural Bridge Cave in Lee County. Not long after, Thomas Jefferson, being an inquisitive fellow who liked to write things down, described 5 caves and drew a map of Madison Saltpeter Cave (Augusta County). The Madison map, drawn in 1787, was the first cave map produced by our young nation. In fact, Jefferson, who described 5 caves, held the record for having written the most Virginia cave descriptions for the next 144 years (the five caves Jefferson described were Cudjos, Lee Co.; Natural Bridge, Rockbridge Co.; Madison Saltpeter Cave, Augusta Co.; Blowing Cave, Bath Co.; and Bean Cave, Frederick Co.). In 1933 William M. McGill surpassed Jefferson when he described 9 caves in his book, *Caverns of Virginia*.

By 1941, there were 31 caves described in various documents, books and references. In

1941, during the war years, Bill Stevenson organized the National Speleological Society (NSS). Many of the caves visited in the early years of the NSS were Virginia caves. Interestingly, with no standard operating procedures and no prior examples to refer to, these early reports were often more complete and enlightening than today's reports simply because the participants recorded everything.

As reports began to accumulate, it became apparent to Henry H. Douglas that there needed to be some organization to all this data. In 1954, as a project of the NSS, he officially kicked off the Virginia Cave Survey, beginning with a total of 492 cave descriptions. At that time, as you might guess, there were lots of caves known to local residents that organized cavers knew nothing of. These early cavers just had to find the transportation to get there. The enthusiasm and excitement created by this vast, untapped cave frontier spurred rapid exploration. All area grottos participated and it was a major focus of the Virginia Region. Henry Douglas completed his survey with the publication of *Caves of Virginia* in 1964. In later years, as we became more aware of the potential impact of over-visitation, this book proved to be all too successful.

Prior to the publication of *Caves of Virginia*,