



In This Issue:

- WOTUS Pg 1-2
- Goat's Beard, Dusky Azure Pg 2
- Fall Programs, Fall Outings Pg 3
- Oil Trains Pg 4-5
- Sanctuary in Your Yard Pg 5
- Clean Power Plan, Clean Jobs Alert Pg 6
- New Madrid Levee Alert Pg 6
- 66 Corridor Pg 7
- Volunteer, Execom Nominations Pg 8
- Calendar Sales Pg 8

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New EPA Waters of the United States Rule

By Sabrina Hardenbergh

The EPA's August 5th [Animas River watershed accident](#) during an attempt to clean up Gold King Mine pollution is perhaps an ironic grand opening stage for the Clean Water Act's supplemental new [Waters of the United States Rule](#) (WOTUS), which goes into effect on August 28th. This, earlier Animas River Superfund deliberations, and last year's national news garnering coal industry-related spills, are illustrations of countless water pollution incidents during the past couple centuries of mining, manufacturing and agricultural waste, brushed to the wings. Hence, reasons for why WOTUS is important to support. Illinois and Appalachian [coal mining](#) and [coal-fired power plants](#), and [oil and gas drilling](#), are acts in this water play along with western mines and drilling. Residents next to the [Elk, Ohio](#) and [Dan Rivers](#) last year, or the Animas, San Juan and Colorado Rivers this year, and those by thousands of streams and wetlands, plead a better resolution on this national stage of populace and corporations.

Hardly after the Rule was published in the Federal Register on June 29th, twenty-seven states, the [American Farm Bureau Federation](#), and [Murray Energy Corporation](#) (coal company) [filed suit](#) in federal court to block implementation of the new regulations, also known as the Clean Water Act Rule, on grounds of burdensome federal overreach.

Quotes of opponents in the news indicate misinformation concerning what the [Rule](#) actually covers, even though the EPA attempts to clarify what the [Rule does](#) and [does not do](#) on their website. The 1972 Clean Water Act only pertained to "navigable waters", but this leaves much interpretation. In 2001 and 2006, Supreme Court rulings narrowed the scope of the Clean Water Act, thus opening streams and wetlands to more pollution and much litigation. Murray Energy's counsel, Gary [Broadbent notes](#), "[The Obama EPA is seeking to expand jurisdiction over dry ditches, puddles, ponds, and erosional features, dictating to Americans how they can and cannot use their private property.](#)"

Environmental groups and the [Army Corps of Engineers](#) actually see compromises in the new Rule that now exclude some waters that were formerly included in the 1972 Clean Water Act.

The Rule extends or restores protections to two million acres of streams and 20 million acres of wetlands unaddressed by the Clean Water Act, helping to safeguard [America's drinking water](#). The EPA's [Drinking Water Map](#) indicates that many southern Illinois counties have a large portion of the population deriving drinking water from streams (stored in our municipal reservoirs). The EPA tries to [educate](#)

(Continued on Page 2)

(WOTUS , Continued from Page 1)

the public about the value of clean water and the ecological relationships between streams, wetlands and downstream uses, including outdoor recreation like fishing and kayaking, agriculture, and industry. About 60% of U.S. stream miles only flow seasonally or after rain, yet impact downstream waters. Small streams filter 20 to 40% of nitrogen pollution. Over one-third of threatened and endangered species in the U.S. live only in wetlands, which also filter pollution. The Rule would [stop mountain top removal](#)'s or strip-mining's [lopping of removed terrain](#) into streams to expose coal seams for mining, wherein pollutants such as selenium, iron and aluminum end up in the remaining streams.

In addition to lawsuits, pending Congressional bills will reverse the WOTUS Rule. The [Farm Bureau supports S. 1140](#), the Federal Water Quality Protection Act, arguing the [Rule's included and excluded water definitions are too vague, implying that most are included](#), so S. 1140 excludes many of the Rule's waterways. Other bills against WOTUS include [S. 980](#), Defense of Environment and Property Act, redefining navigable waters; and [S. 1500](#), the Sensible Environmental Protection Act of 2015, and [H.R. 897](#), Reducing Regulatory Burdens Acts of 2015, which allow pesticide use without permits in or near navigable waters, and for other purposes.

Because corporations, the [Chamber of Commerce](#), Farm Bureau, and some Congressmen are working to block the new regulations, **please show your public support for the Clean Water Act's supplemental new [Waters of the United States Rule](#). Write and/or call your [Congressmen](#), and speak up to the [Farm Bureau](#), the [Illinois Farm Bureau](#), and [Chamber of Commerce](#).**

It's Not Just Monarchs

By Jean Sellar

Other butterflies are in trouble as well, and native gardeners may be able to help. Goat's Beard, a native plant, and the Dusky Azure, a butterfly, are two co-evolved southern Illinois species that are very uncommon, very beautiful, and might benefit from the addition of the plant to your garden.

[Goat's Beard \(*Aruncus dioicus*\)](#) is a very large perennial in the rose family, not to be confused with non-native composites (*Tragopogon* spp.) with the same common name. It prefers shade, and easily grows to 4 feet in height and 6 feet in girth. The feathery white flowers are in long panicles at the end of bi- or tri-pinnate leaves that are toothed and rough to the touch. The very showy male and female flowers are on separate plants, which provide the gardener with an opportunity for indulgence at the plant nursery. The plant may remind you of an astilbe on steroids. In southern Illinois it grows on moist slopes in rich woods, which may be shallow to bedrock. Despite the plant's rarity in the wild it is easy to grow in shady gardens and is readily available at plant nurseries, but beware cultivars, which often do not support specialized insect species. The best decision would be to purchase your plants at the nearest native plant supplier.



[Goats Beard](#) (MO. Bot. Garden)

[Dusky Azure butterflies \(*Celastrina eburnina*\)](#) are very rare, listed in Illinois, and known from less than 50 sites in all of eastern North America. Some of the sites are in our magnificently biodiverse southern Illinois, however, mostly in Union County. At a recent talk in Carbondale, Mike Jeffords and Susan Post mentioned that in rare years there may be an outbreak of them. Under no conditions should they be collected with anything but a camera, but do notify the staff of the Illinois Natural History Survey if you see one. Dusky Azures are the same size as the sky blue Spring and Summer Azures but much darker, with the male grayish-black and the female with big areas of light blue within the black on the upper side of her wings. The underside of the wings in both genders is light gray with dark submarginal spots.

The caterpillars only feed on *Aruncus*. Nothing else, ever. The adults nectar on native spring flowers, especially Wild Geranium, and emerge from the ground in April and early May.

Even if you never see a Dusky Azure, your *Aruncus* will thrill you year after year.

FALL 2015 PROGRAMS NOTE: Start time at 7 PM!

Location: REAR entrance, through green door in alley, of the Carbondale Township Meeting Room at 217 East Main, across from Rock Hill Baptist Church (at Monroe and Marion Streets). The front door is locked! FREE and open to the public. Refreshments and socializing before and after meeting.

Thursday, September 10, 2015 at 7 pm

Speaker: Justin Schoof, Climatology

Dinner at 5 pm: Newell House,
201 East Main, Carbondale 549-6400

Thursday, October 8, 2015 at 7 pm

Speaker: David Gibson, Forensic Botany

Dinner at 5 pm: S&B Burger Joint,
University Mall, Carbondale 618-549-2191

Monday, October 12, 2015 at 7 pm

Special Program Speaker: John
Schwegman, Cretaceous Hills Restoration

Thursday, November 12, 2015 at 7 pm

Speaker: TBA

Dinner at 5 pm: TBA



FALL 2015 SIERRA CLUB OUTINGS

Sunday, September 6, 11 am, Piney Woods Ravine Nature Reserve

Meet at the Murphysboro Forestry station parking lot on Walnut St. before 11. Moderate hike of about 2 miles. We will see ancient petroglyphs, canyon views, cliffs and a waterfall. Bring water and wear appropriate hiking shoes. The leader is Steve Eberhart. Call Steve at 618-687-2998 to go on the hike.

Sunday, October 11, 9 am, Larue Pine Hills

Easy 4-5 mile hike along the upper and lower trails of Larue Pine Hills (snake trail). Meet at the Murphysboro Forestry station at 9 am. We will see migrating snakes, other wildlife and wildflowers. Bring water and wear hiking shoes. The leader is Ed Max, a naturalist. RSVP Ed at 630-209-3005 or Hortusmax@gmail.com.

November, Panther's Den – Details TBA – Call Barb at 618-529-4824

Sunday, December 6, 12:30 pm, Jackson Falls

Very scenic hike on 4+ mile rugged loop. Carbondale carpool meeting place TBA. Be at Ozark General Store (Rt. 45 & Ozark Rd.) by 12:30 pm sharp. Bring water & snack. Walking stick and sturdy shoes recommended. Call Bob Mulcahy at 618-942-6342 to reserve a spot by Saturday, Dec. 5th.

Piasa Palisades Group Outings Chair:

Carol Klinger, 618-288-5506,

ciklinger@yahoo.com

<http://illinois.sierraclub.org/PiasaPalisades>

Eastern Missouri Group Outings Chair:

Bob Gestel 636-296-8975, rgestel@sbcglobal.net

<http://missouri.sierraclub.org/emg/outings.aspx>

Future Outings TBA:

Updates listed on our website:

<http://illinois.sierraclub.org/Shawnee/>

Other short notice outings and events may be announced on our Facebook page:

<https://www.facebook.com/SierraClubShawnee>

Call for articles and photographs for Shawnee Trails!

The next issue will be published in May. Please send your Word, PDF or JPG files to sabrina@midwest.net by **November 9th.**

Crude Oil Trains – Communities at Risk!

By Gerri Songer and Ruth Kelley

Fiery oil train accidents across the country - more than six since the beginning of this year - drive home the dangers of transporting hazardous materials via rail within yards of homes, schools and playgrounds. Gerri Songer, a member of the Sierra Club Woods and Wetlands Group and contact for Energy Transport and Infrastructure, will outline the need for better regulations and more safety measures in a special public program at 10 AM on September 15th, at the Carbondale Civic Center, 200 South Illinois Avenue.

In May of 2014, Gerri began attending Village meetings (Hawthorne Woods) after seeing an increased presence of trains at all hours of the day and questioning what they were carrying. Through public records, she learned these trains were transporting toxic, hazardous, and explosive substances, and her research showed that many trains have met with accidents and created hazardous runoff. Ms. Songer tried to address her public safety concerns to her Village Board. During her polite if forceful public comment, the Board had police remove Ms. Songer from the meeting, a blatant violation of her first amendment rights. Ms. Songer was undeterred from attending subsequent meetings, asserting her rights, and continuing to speak out. Ms. Songer is an educator and serves as Education Chair for the Township District 214 Education Association. Her experiences in civic participation and environmental concern have inspired her to teach high school students how to become participants in their democracy and advocates for public health and safety through an extracurricular, “Students4Democracy” at Elk Grove High School, where she teaches.

Q. Ruth: Can you tell us who regulates these trains?

A. Gerri: The U.S. government has exclusive regulatory authority over this industry. It's the railroad's responsibility to regulate its own infrastructure (railway, bridges, etc.).

Ruth asked Shawn Priddy, Deputy Coordinator of the Jackson County Emergency Management Agency, whether local emergency responders are prepared for an oil fire. Mr. Priddy responded,

“Jackson County EMA literally just learned that Bakken crude was traveling through Jackson County yesterday (July 21). We had a small informational presentation on it at our Jackson County Local Emergency Planning Committee meeting yesterday.

The county’s Emergency Operation Plan is an all-hazards plan, which does include a Haz-Mat annex. The main struggle for any jurisdiction will be waiting on resources and mutual aid to arrive. There probably isn't a jurisdiction in the U.S. that has everything "in house" to mitigate the problem from beginning to end (just like most disasters).

There are several training classes available that responders can request and take for free. I know some of the local fire departments have participated in these trainings. To get more information on that, you would have to contact the fire department. The initial response and handling of the incident will be done by the fire department. Emergency management can be called to assist with ordering resources, evacuation, etc.”

Mike Hertz, Fire Captain/EMS Coordinator for the City of Carbondale, added the following information:

“The Carbondale Fire Department has twelve trained Hazardous Materials Technicians. The rest of the department is Operations level trained. Five of our members are on the MABAS 45 HazMat Team, a Regional Hazardous Materials Response Team. We have participated in various trainings with the Canadian National Railroad on crude oil and other hazardous materials. We sent two of our members to Pueblo, Colorado to the Security and Emergency Response Training Center for specialized rail training specifically to crude oil.

Our responses to a crude oil incident will be the same as to any other rail incident. Upon arrival we will assess the situation and determine the proper level of response. The amount of assets needed to handle the situation would be a collaborated effort between fire, police, EMS, EMA and the Canadian National Dangerous Goods Officer.

(Continued on Page 5)

(Oil Trains, Continued from Page 4)

Carbondale has some advantages in regards to the railroad that runs through town. Our rail is straight with no curves and a 35 mph speed limit is in place, which makes the train slow down from 55 mph when traveling through town. Although these are not foolproof in preventing a derailment it does have its advantages.”

The Illinois Emergency Management Agency has an informative website which includes information about hazardous materials (HazMat). <http://www.illinois.gov/ready/hazards/Pages/HazardousMaterials.aspx>

The following advice is offered to citizens on the IEMA website:

If you suspect a hazardous materials situation:

- *Look for signs that indicate hazardous materials may be present.*
- *Do not walk into, touch, or inhale any material.*
- *Stay uphill and upwind from the incident.*
- *Request assistance by calling 9-1-1.*

Illinois Fire Service Institute, at the University of Illinois, offers training to firefighters, including a course on crude oil fires (https://www.fsi.illinois.edu/content/courses/programs/description.cfm?course_id=789).

A Sanctuary in Your Yard

By Patty Weyhrich

Many of us share a deep love of nature and are awestruck by the beauty and diversity of plant and animal life. We may travel hundreds or thousands of miles to experience new environments. But what about the beauty in your own yard? Our home is likely where we will spend the most time. What if in addition to traveling afar we paid more attention to what is right under our feet?

Have you ever seen the earth shift beneath your feet? The land is filled with life, and the quiet movement of moles reminds us of the dynamics in the soil. Moles live largely underground. They are industrious creatures with an impressive work ethic, eating over half their weight daily in insects, worms, and invasive Japanese beetle grubs. They aerate our soil and can lift 20 times their own body weight. Staying underground reduces their risk of predation.

Unfortunately, it is easier to come across information on killing moles compared to lauding their attributes. Largely due to pesticide companies, we are inundated with ads about poisons and traps. Until the banning of strychnine poison in 2006 many moles suffered agonizing but invisible deaths. Moles are also the target of games and jokes which makes violence toward them seem socially acceptable. Eliminating moles is promoted by a concept that a lawn should be as pristine as a golf course.

Besides learning how to co-exist with moles, there are many other ways to help animals and plants survive and even thrive. Humane solutions do exist. Fencing underground with L shaped footers can be placed around perimeters. Mole hills can be gently shoveled away. In creating a humane backyard sanctuary consider planning an ‘area rug’ of turf grass and leaving prairie-like areas that can support a diversity of native plants, thereby providing food for bees, butterflies, fireflies, ladybugs, and other pollinators. This in turn provides food for larger animals such as turtles and birds, for example. Savvy gardeners can also make use of kicked up mole dirt to create fertile ground for plants that support butterfly larvae. A chickadee needs to catch 10,260 caterpillars to raise a brood. Loss of habitat including groundcovers and trees has significantly affected the wildlife populations. Let’s help them by creating a sanctuary of food and habitat.

Consider planting milkweed, native berries, seeds and nut bearing plants. This presumes a reevaluation of the concept of the suburban yard. Incorporating native plants can create an aesthetically pleasing and humane habitat that provides food and shelter and also, importantly, reduces use of chemical herbicides, insecticides, and lawn mowing.

The Top Five Elements for Creating a Wildlife Friendly Yard

- | | |
|--------------------------------------|---|
| 1. Natural food and water sources | 4. Humane conflict resolution |
| 2. Shelter and places to raise young | 5. Pet friendly spaces/safe confinement |
| 3. No or few chemicals | |

Reference: [Humane Backyard, Welcoming Wildlife, Nancy Lawson. All Animals, The Humane Society, March/April 2015.](#)

Federal Clean Power Plan and Illinois Clean Jobs Bill Need YOUR Support

By Barbara McKasson

The Obama Administration recently released the final version of the U.S. Environmental Protection Agency's (EPA) Clean Power Plan. The plan calls on states to reduce power plant carbon emissions 32 percent below 2005 levels by 2030. There are also incentives to increase wind and solar energy production. This is the strongest action ever by our federal government to curb global warming and climate change.

The **Federal Clean Power Plan** was released August 3rd, and the coal industry filed a lawsuit against the plan that very day. You can **help defend the plan** by sending an Email to your U.S. Senators and Representatives. Go to <http://sierraclub.org>. On the Home Page look for "ACT NOW" on the Clean Power Plan, and within a few minutes you can send an Email to your Senators and Rep.

The Illinois Clean Jobs Bill would meet and possibly exceed the carbon reductions called for in the Federal Clean Power Plan. This bill increases Illinois' renewable energy requirements to 35 percent by 2030, plus increases energy efficiency goals to 20 percent by 2025. It also creates a state "cap and invest" system, which helps low income households and trains people to work in renewable energy and energy efficiency jobs.

The Illinois Clean Jobs Bill is projected to create 32,000 jobs per year. Renewable energy and energy efficiency and conservation measures has already created 100,000 jobs in Illinois. Compare that to the paltry 4,000 jobs that the coal industry provides currently in Illinois. In addition, according to the Citizens Utility Board, it would save an average of \$100/ year for each household - \$1.6 billion total by 2030.

Unfortunately, Illinois has been hampered by changes in energy production policy which has halted new wind energy development in Illinois and has also failed to encourage an increase in solar power for the last few years. The Illinois Clean Jobs Bill would break up this log jam.

Governor Rauner has not yet made a statement of support for the Clean Power Plan nor for the Illinois Clean Jobs Bill. Sierra Club and allies in the Clean Jobs Coalition are collecting petitions urging Governor Rauner to support the Plan and the Bill. **Please help by signing the petition and sending a message to Governor Rauner at:** <http://ilcleanjobs.org>.

New Madrid Levee Project Must Be Stopped: Your Help Needed!

By Barbara McKasson

The New Madrid Levee Project would close the last connection between the Mississippi River and its backwaters in the whole state of Missouri. This opening is at the southern end of the New Madrid Floodway, which is officially the safety valve that allows floodwaters of the Mississippi River to back up into a vast wetland. Many migrating water birds, spawning fish and other wildlife depend on the tens of thousands of acres of wetland that would disappear if this levee is built. It also helps alleviate flooding of Illinois towns across from the floodway, such as Olive Branch, Cairo, and Metropolis. Additionally, the project wastes over \$165 million in taxpayer money.

Sierra Club, National Wildlife Federation and other groups have been fighting against this proposal for decades. However, right now we have a golden opportunity to drive a stake through the heart of this zombie project. Senator Durbin is backing our efforts to persuade the U.S. EPA to veto the project under the Clean Water Act on the grounds that it would be devastating to fish populations in the middle Mississippi River.

This project has already been opposed by the U.S. Fish and Wildlife Service, USEPA Region 7, U.S. Department of the Interior, Missouri Dept. of Conservation and at least 90 conservation groups. We have momentum, but need your help to make a final push.

What You Can Do: We need your help in persuading the U.S. EPA to veto the New Madrid Levee Project. Go to: <http://1mississippi.org/action-center> then scroll down and click on the New Madrid Levee Project. Please urge the EPA to veto this project under the authority of the Clean Water Act. The action center will also send your Email to your U.S. Representative, Senators and President Obama to let them know you oppose this immensely destructive project.

We have been monitoring and opposing the proposal to build an interstate highway between Paducah and Cape Girardeau for years because it would adversely affect the Cache River Wetlands, portions of Shawnee National Forest and probably part of Trail of Tears State Forest also. The main impetus for this project has been corporations (such as the Transamerica Corridor Corporation) that want a faster route through Southern Illinois from Missouri to Kentucky. It would essentially bypass – and probably harm - Southern Illinois tourism.

At the end of 2014, the State of Kentucky announced that it could no longer afford their share of the project. Also, Governor Rauner has suspended funds for new highways. Thus, the Illinois Dept. of Transportation has proposed a scaled down project they are calling the new “Shawnee Expressway.” According to IDOT, this highway would connect the intersection of Illinois State Highway 3 and Illinois State Highway 146 to Interstate 57, and would be about 18 miles in length. This could still endanger wetlands and forests in Shawnee National Forest and state natural areas, such as Trail of Tears SF.

We will continue monitoring this project and advocate for protection of our southern Illinois wetlands and forests. It’s possible this will lead to segmentation of this proposed project – time will tell. Stay tuned.

Illinois Legislative Contacts: Call Your Legislators Today!

State Dist. 109 Rep. David Reis: 618-392-0108 or 217-782-2087; www.davidreis.org
State Dist. 115 - Rep. Terri Bryant: 618-242-8115; 217-782-0387; staterepterribryant@gmail.com
State Dist. 116 - Rep. Jerry Costello II - 618-282-7284; 217-782-1018 Staterepcostello@gmail.com
State Dist. 117 - Rep. John Bradley - 618-997-9697; 217-782-1051; repjohnbradley@mychoice.net
State Rep. 118 - Rep. Brandon Phelps - 618-253-4189; 217-782-5131; bpphelps118@gmail.com
Senate Dist. 55 Senator Dale Righter: 217-235-6033 or 217-782-6674
Senate Dist. 58 - Senator Dave Luechtefeld: 618-243-9014; 217-782-8137; sendavel@midwest.net
Senate Dist. 59 - Senator Gary Forby: 618-439-2504; 217-782-5509; www.senatorforby.com
Governor Bruce Rauner: 217-782-0244, <http://www2.illinois.gov/gov/Pages/ContacttheGovernor.aspx>

Congressional Contacts

Senator Dick Durbin: 618-351-1122; 202-224-2152; durbin.senate.gov
Senator Mark Kirk: 202-224-2854; 312-886-3506; kirk.senate.gov
Representative Mike Bost: 618-457-5787; 202-225-5661; bost.house.gov
Representative John Shimkus: 618-252-8271; 202-225-5271; shimkus.house.gov

The Illinois Chapter Sierra Club’s Frack Fight Team is steered by Terri Treacy (terri.treacy@sierraclub.org).

To receive periodic updates and communications from local and national Sierra Club, become a member of the Illinois Chapter’s Frack Fight Team:
http://action.sierraclub.org/site/Survey?ACTION_REQUIRED=URI_ACTION_USER_REQUESTS&SURVEY_ID=138181

FYI, to receive more timely alerts from the Illinois Chapter of the Sierra Club, sign up online at their state website:

https://secure.sierraclub.org/site/SPageNavigator/Chapter/il_newsletter_signup.html?jsessionid=84420F4C49A5A8CD264E1E3C3F131E25.app205a

Volunteers Needed to Help Protect Shawnee National Forest

Protecting Shawnee National Forest involves frequent communication with the Forest Service, research on issues, and educating others about those issues. We especially need help in keeping oil and gas wells out of the forest - including fracking wells. Please contact Barb at babitaji@aol.com if you are interested in helping in any way.

Has Your Email Address Changed?

To continue to receive notification when the latest Shawnee Group newsletter is posted online, be sure to inform the Group when you change your email address. Send email address updates to:

dorecyprosser2001@yahoo.com

At any time you can read current and past newsletters on the Shawnee Group website:

<http://illinois.sierraclub.org/Shawnee/> Visit the website also for information on upcoming local programs and outings as well as state and national Sierra Club issues.

Leadership Opportunities

Run for the Board!

We need a few good women and men.

Join the board of directors (the executive committee, also known as the ExCom) in overseeing the Shawnee Group's strategic direction and economic health. Board members meet monthly for about 2 hours. Board terms are for two years. We are always interested in potential candidates.

We also need:

* **Hospitality team members**

Provide refreshments for one monthly meeting each year (second Thursday). Contact Hospitality Chair Phyllis Beck at 618-549-9819, ptherapist@frontier.com OR

Act as a greeter for a monthly meeting or welcome and assist our speaker OR

Select and make reservations at a local restaurant for our monthly "Dinner Before the Meeting."

Contact Program Chair Ruth Kelley at (618) 684-2196 or rth_kelley@yahoo.com.

Call for Shawnee Group

Executive Committee Nominations

Shawnee Group Sierra Club is guided by an executive committee of eight members. Each ExCom member serves a two year term. Each ExCom member is expected to attend monthly ExCom meetings, plus take on some task to help support the group. **NOW is the time for nominations.** Any paid-up member is eligible to run in the election. The member's **name**, a **biographical summary** (200 words maximum) from that candidate must be submitted to the Nominating Committee by **September 1st** to Patty Weyhrich at pweyhrich711@hotmail.com. A "head shot" **photo** of the candidate is requested also.

2016 Sierra Club Calendars Available!

Buy at our monthly meetings this fall, or contact Barb McKasson (babitaji@aol.com).

We also seek volunteers to sell calendars.

