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# Sierra Borealis alaska report

SIERRA CLUB ALASKA CHAPTER **JUNE 2023** 



## Ben Jealous, new Sierra Club executive director, visits Alaska Chapter

New Sierra Club executive director Ben Jealous and Deputy Director Ana Yanez Correa visited our chapter to learn about environmental priorities in Alaska. This included meeting with Chapter leaders in both Anchorage and Fairbanks, touring the Alaska Native Heritage Center, and traveling to northern Alaska for a visit to Arctic Village to meet with Gwich'in community members whose subsistence culture relies on a thriving Arctic National Wildlife Refuge and surrounding ecosystems. (See related article page 7.)

Our local Alaska Chapter leaders look forward to working with them and other key Sierra Club national staff to preserve the natural environmental values of our incredible state for generations to come.

Ben is making a series of visits around the country to meet with leaders of as many Sierra Club Chapters as possible as he launches into his new job. Ben joined the Sierra Club from People for the American Way (PFAW), where he was president from 2020 through the 2022 midterm elections. From 2008 to 2013, Ben led the NAACP as its youngest-ever president and CEO, and he launched the NAACP's Climate Justice Program. In 2018, he was the Democratic nominee for governor of

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Maryland. He grew up in Pacific Grove, California, and family trips to the Sierra began his lifelong environmentalism. 💠



At the Alaska Native Heritage Center, Ben Jealous and Ana Yanez Correa had the chance to learn about the importance of Alaska Native culture to our work. Ben Jealous (center back) poses with Ana Yanez Correa, Chapter chair Heather Jesse, Chapter legal chair Greg Stewart, and Chapter director Andrea Feniger.

## Renewable energy efforts in Alaska's state legislature

The 2023 legislative session in Alaska was full of hopeful moments and disappointing losses. As the regular Juneau session wrapped up in May, I wanted to reflect on what was accomplished and what we will continue to build on to ensure our state makes much needed progress away from extractive industries towards a sustainable economy.

The highlight of this session was the introduction of three renewable energy bills that have the potential to make a big difference in our state: an Extension of the Renewable Energy Grant Fund, the Green Bank Bill, and the Renewable Portfolio Standard. These bills saw broad support, even sometimes from unexpected places.

Sierra Club Alaska was thrilled to travel to Juneau with our partners in The Alaska Climate Alliance to promote these bills to legislators, and we were excited by the overwhelming favorable reception from legislators. While the only one that was ultimately signed into law was the Renewable Energy Grant Fund, there is reason for hope (and for more hard work) next session.

The Renewable Energy Grant Fund was originally created in 2008 and then extended for 10 years in 2012 with a purpose to provide "financial assistance in studying, developing, and integrating both proven and nascent renewable energy technologies across all regions of the state." It was set to expire if not extended during this session. Not only did the fund get extended, but all future sunset dates were repealed. This means that the fund will continue indefinitely and be a part of the regular appropriations process. This is a clear sign from our legislators that they understand the importance of longevity in the need for renewable energy infrastructure.

While the Green Bank bill, which would create a fund to finance individual renewable energy projects, did not pass this session, we have hope that it will pass next year. This bill has found an unlikely champion in Alaska Governor Mike Dunleavy. While environmental groups opposed the original version of the bill last year because it was set to be housed at the Alaska Industrial Development and Export Authority (AIDEA), we are excited by this current version that houses the green bank in Alaska Housing Finance Corporation (AHFC). We look forward to doing all we can to get this bill across the finish line in 2024.

The Renewable Portfolio Standard would set a requirement for the five electric utilities on the Railbelt that stretches from Fairbanks through Anchorage to the Kenai Peninsula to generate a certain amount of their energy from renewable energy sources. This bill would be a huge first step in reducing our dependence on fossil fuels like natural gas and pushing our state toward the future. The passage of this bill will be a priority for us next session.

Ultimately, the session did not end with all of



our renewable dreams coming true, but it was the most hopeful I have felt in a long time that we can get our state on the right track. Much of that hope came from all of the amazing members and volunteers who showed up to town halls, educational events, and testimony opportunities to learn about and show support for expanded renewable energy in Alaska. I cannot wait to continue working alongside all of you for years to come to build an Alaska based on clean energy and healthy, thriving communities. .

-- Andrea Feniger

### **CAUTION!**

Watch out for phishing scams claiming to come from our Chapter Chair, or other ExCom members. We've had a few members reach out to us reporting suspicious emails requesting that members purchase gift cards with the promise of future reimbursement. The Alaska Chapter will reach out to our members only for donations, using the proper channelsthat means we'll never send you an unofficial email promising reimbursement or requesting emergency funds. If you receive such email, please notify Chapter Director Andrea at andrea. feniger@sierraclub.org or Chapter Chair Heather at heather.g.jesse@gmail.com.

## Fire Island Wind: An Alaska Renewable Energy working example

The Fire Island Wind Farm is located just off the coast of Anchorage, Alaska, and has been in operation since 2012. The wind farm consists of eleven turbines that generate a total of approximately 17.6 megawatts, which is enough power to provide electricity to 4,000 homes in the Anchorage area.

One of the main benefits of the Fire Island Wind Farm is that it provides a source of renewable energy for the region. Wind power is a clean and sustainable form of energy that does not produce any greenhouse gas emissions or other harmful pollutants that can contribute to climate change. Wind power is an excellent supplemental source of power that helps reduce the region's reliance on fossil fuels and other non-renewable sources of energy.

Another benefit of the wind farm is that it helps to diversify Alaska's energy mix. Prior to the construction of the wind farm, the majority of Alaska's electricity was generated from natural gas and from oil. By adding wind power to the mix, Alaska can reduce its dependence on fossil fuels and increase the share of renewable energy in its overall energy portfolio.

In addition to the environmental benefits of the Fire Island Wind Farm, the project has also had a positive impact on the local economy. The construction of the wind farm created approximately 150 jobs, and the ongoing operation and maintenance of the turbines provides additional employment opportunities. The wind farm generates revenue for the local community through lease payments, property taxes, and other fees.

Despite the many benefits of the Fire Island Wind Farm, there have been some challenges associated with the project



Wind power at Fire Island

as well. One of the main challenges is the intermittency of wind power. Wind speeds can vary significantly from day to day, and even from hour to hour, which can make it difficult



Alaska Chapter outdoor activities have moved into "full swing" as spring has turned into summer. Here outings participants pose at Reflections Lake Trail. This is an easy, year-round walking path, with several benches along the way. Reflections Lake can provide some stunning reflected images of the nearby Chugach mountains. See page 7 for further outing news.



to rely on wind power as a consistent, dependable source of electricity. To address this challenge, the wind farm is designed to be connected to the regional power grid, which allows excess electricity to be stored and used later when

wind speeds are low.

Another challenge is the high cost of wind power compared to other forms of energy, such as natural gas and coal. While the cost of wind power has decreased significantly in recent years, it still requires significant upfront investment to construct the turbines and other infrastructure required for a wind farm. However, many experts view long-term benefits of wind power far outweighing the short-term costs.

Despite these challenges, the Fire Island Wind Farm has been a successful project that has demonstrated the potential of wind power in Alaska and many other regions. This renewable energy project has helped to reduce the region's reliance on fossil fuels, diversify its energy mix, and provide a source of clean and sustainable energy for the local

community. As the cost of wind power continues to decrease and technology improves, it is likely that we will see more wind farms and other forms of renewable energy in Alaska and around the world. ❖

-- Deanna Nielson



## Izembek Refuge Wilderness Land Exchange case dismissed, But new process initiated

## Will Secretary Haaland protect the Refuge and the integrity of the Alaska Lands Act?

In June, the Ninth Circuit Court of Appeals dismissed the Izembek land-exchange case following Interior Secretary Debra Haaland's decision in March to rescind the Trump-Bernhardt Administration's exchange with the King Cove (Native) Corporation. The exchange would have given the corporation Izembek Wilderness acreage in order to extend its existing road across the wilderness area to the community of Cold Bay. In return, Cold Bay, and some corporation land would be conveyed to the refuge. Haaland said the trade had procedural flaws and problems which she didn't specify. (See sierra borealis April 2023, and earlier.)

Several conservation organizations, including the Sierra Club, had challenged the exchange in Federal District Court



The Izembek National Wildlife Refuge, with its world-renowned eelgrass beds, is an important migration stopover for more than 90 percent of black brant that use the Pacific Flyway as well as many other birds migrating to and from Arctic breeding grounds.

and had won; the Court voided the exchange. Haaland appealed the ruling to the Ninth Circuit, where an 11-judge panel considered the case.

The dismissal is a major victory for the conservation plaintiffs. Yet Secretary Haaland has not tossed in the towel. In rescinding the exchange, she said her action "does not foreclose further consideration of a land exchange to address the [King Cove] community's concerns," and that any such future exchange "would likely be with different terms and conditions."

Subsequently, she said a supplemental environmental impact statement (SEIS) will be issued on the effects of a land exchange for a road through the refuge wilderness, and non-road alternatives. The SEIS will be based on the 2013 EIS that evaluated a potential road across the wilderness portion of the refuge. That EIS, which described major adverse effects of a road, led former Interior Secretary Sally Jewell in the Obama Administration to oppose a road while

supporting air and marine transportation alternatives.

A new SEIS that includes a land exchange for a road suggests that a Trump-Bernhardt-style swap might still become Haaland's preferred alternative. During the first two years of her term, she stuck with the proposed trade instead of quickly canceling it after taking office in 2021—as environmentalists had hoped. And when conservationists challenged the trade in the courts, she continued to support it until a few months ago. Such a land exchange would once again severely threaten ANILCA's and Izembek's protections and would need to be challenged in court.

### **Background**

When the case was dismissed, the legal question at the heart of the controversy was left unresolved: does the Alaska National Interest Lands Conservation Act (ANILCA) grant the Interior and Agriculture Secretaries authority for land exchanges that give conservation system acreage to corporations, the State of Alaska, and individuals to facilitate the building a road or other infrastructure?

Sec. 101 of ANILCA states the two purposes of the Act: to conserve the national interest lands (101(b)) and "to provide the opportunity for rural residents engaged in a subsistence way of life to continue to do so." (101(c)). Because the Trump-Bernhardt exchange violated both purposes, Secretary Bernhardt relied on another provision in the purposes section, Sec. 101(d), claiming it was a purpose and hence the legal basis of his exchange. But 101(d) is not a purpose. Former President Jimmy Carter and the Federal District Court, which initially voided the Bernhardt exchange, determined that Sec. 101(d) is not a purpose. President Carter, in his 2022 Friend-of-the-Court brief to the Ninth Circuit, commented on the decision of the Court's three- judge panel that reversed 2-1 the lower court's rejection of the exchange:

The panel majority's contrary conclusion rested on its unfounded assertion that advancing the "economic and social" interests of Alaskans, 16 U.S.C. § 3101(d) is also a purpose of ANILCA, meaning that the secretarial power to exchange Wilderness (or other conservation lands) includes discretion to transfer such lands to individuals and corporations whenever, in the Secretary's judgment, that "purpose" outweighs ecological and subsistence damage that development might inflict.

That understanding, I respectfully submit, gets wrong the statute's fundamentals. When Congress used the word "balance" in Section [101(d)], it was describing what Congress had accomplished through ANILCA as a whole: both by designating 104 million acres of federal conservation land and at the same

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### **Izembek National Wildlife Refuge land exchange update continues**

time leaving many millions more of federal lands (as well as State, corporate and private lands) open to development. Section [101(d)] was never meant to be a delegation of authority to agency officials to rebalance conservation against economic uses as to land ANILCA had set aside as conservation lands. It was a description of a definitive resolution—the one struck, firmly, by Congress.

Furthermore, President Carter noted that

The history of ANILCA's enactment strongly confirms the clear reading of the enacted text. Anyone who was present or participated in the negotiations, deliberations, drafting and signing of the statute including, I would hazard to say, those skeptical and even hostile to the law—would recognize the difference between Sections [101] (b)] and (c) on one hand, which guide and direct the Secretary's exercise of his or her management and conservation powers, and Section [101](d). Section [101](d) expresses Congress's judgment that the statutory allocation of federal lands, which left 149 million acres (including vast stores of natural resources) placed in private or state control, would suffice to meet Alaskans' social and economic development needs. No one believed the Secretary would then enjoy authority to sell or trade away designated Wilderness lands under Section [1302](h), a minor provision allowing in-kind as well as cash acquisitions of national interest lands whenever he or she believed that doing so would bring material economic benefit.

President Carter's powerful and compelling critique of Sec. 101(d) as a purpose of ANILCA and the clear limitations of section 1302(h) land exchanges could persuade Secretary Haaland to not include an Izembek road exchange in her SEIS. This would shift the focus to feasible non-road alternatives, and maintain the tradition of Democratic administrations providing strong

photo: Vicky Hoover National Wildlife Refuge Refuge Office

The community of Cold Bay hosts the headquarters and visitor center of the Izembek National Wildlife Refuge

support for ANILCA.

The Sierra Club, together with other conservation organizations, submitted extensive comments on the recent Notice of Intent regarding DOI's Izembek SEIS. We will let our members know when the Draft SEIS is published, so that we can all weigh in on this crucial issue, which impacts more than 150 million acres of national conservation system lands in Alaska. 💠

-- Jack Hession

(Editor's note; Deborah Williams helped in preparation of this article.)



Bears are frequently seen in both in the wilderness and nonwilderness portions of the Izembek Refuge.

### Latest Izembek News

On June 20, twenty-two former federal government officials sent a letter to Secretary of Interior Haaland, expressing concern over the potential of a road through present wilderness being considered in the upcoming Supplemental Environmental Impact Statement (SEIS).

The letter stated, among other things: "Izembek Refuge is among America's most ecologically significant national wildlife refuges and among the world's most critical wetlands and waterfowl habitats. A road through its biological heart would create significant and irreversible damage, with devastating impacts on wildlife and subsistence hunting and harvesting."

The letter closed with:

'We are certain there are paths forward that do not undermine ANILCA and the values it sets forth. We respectfully request the Department to pursue alternative non-road options that would accommodate the present and future needs of all peoples that rely on the subsistence use and conservation values of the Refuge."

The formidable list of 22 signers is headed by Bruce Babbitt, Clinton-era Secretary of the Interior; Sally Jewell, Secretary of the Interior under Obama; Dan Ashe and Jamie Rappaport Clark, Fish and Wildlife Service Directors for Obama and Clinton, respectively; Mike Dombeck, Chief, U.S. Forest Service, 1997-2001; Jonathan Jarvis, Obama's National Park Service Director; and Deborah Williams, Clinton-era Special Assistant to the Secretary of Interior for Alaska. �

### The Wilderness Act turns 60 in 2024 Get ready for a big anniversary

The sixtieth anniversary of the Wilderness Act that established America's National Wilderness Preservation System is just around the corner.

Wait a minute: didn't we just celebrate the fiftieth?

Our gala events in 2014 may seems like "just" past, but it's nine years later, and on September 3, 2023 we'll hail the 59<sup>th</sup> anniversary of President Lyndon Johnson's signing the Wilderness Act. That gives us less than a year to prepare for the big six-

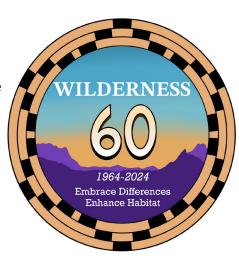
oh. How will we take advantage of public attention to a big round number-anniversary to get the word out broadly on how vital wilderness protection for wild nature is?

During 2014, for the 50th, many Sierra Club Chapters conducted outings in honor of wilderness, held joint events with one or more federal wilderness-managing agencies, or with in-state wilderness organizations, and described trips to wilderness areas in their state. They got speakers to talk of the history of wilderness. Wilderness photo exhibits were popular--also photo contests.

The original Act brought into being 54 wilderness areas in 13 states --ten western states plus Minnesota, North Carolina and New Hampshire (none in Alaska at that time)—places that had already been administratively protected by the Forest Service. But administrative protection was temporary and haphazard, and concerned defenders of wildlands saw that a national law was needed to protect wild, natural land from development—by law. Wilderness designation is the strongest and most permanent protection from development that our laws offer for wild Federal public lands.

While Alaska got no wilderness in 1964, Alaska now has more federally designated wilderness than any other state – by far. Close to half of this country's designated wilderness lies in Alaska - much of that established in 1980 by the Alaska National Interest Lands Conservation Act. While the state of California's 152 wilderness areas far outnumber Alaska's 48, Alaska's are vastly, hugely larger, and Alaska's 9.4 million acre Wrangell-St Elias Wilderness is the country's largest – by a long shot. The Tongass National Forest alone contains 19 wilderness areas; at nearly 5,756,000 acres, these designated wild places cover about a third of the huge national forest. Alaska's second national forest, the Chugach. has no federal wilderness-but it does have our country's largest legislated Wilderness Study Area—nearly two million acres in the Prince William Sounds area.

Alaska's eight national parks, at 56 million acres, have



about 60 percent of our country's total national park lands. Alaska's 16 national wildlife refuges range in size from the 303,094-acre Izembek Refuge near the end of the Alaska Peninsula, to the 19.6 millionacre Arctic Refuge. Nearly all of the 76.8 million acres of refuge lands in Alaska are wild places, and more than 18 million acres in Alaska refuges have been designated by Congress as Wilderness Areas as part of the National Wilderness Preservation System. This Alaska refuge wilderness amount is about 90 percent of all wilderness within the entire national refuge system.

In upcoming newsletter issues, we'll list all 48 Alaska wilderness areas; they are managed by the National Park Service, the Fish & Wildlife Service (wilderness in refuges) and the Forest Service. The Bureau of Land Management is the only federal land agency which has no wilderness in Alaska—although the BLM cares for many wildernesses in other western states.

New awareness that strong and durable preservation of nature can combat the climate crisis and fight the world's species extinction crisis gives us even more reason to fight to protect nature—in our national 30 by 30 campaign. Let's start by celebrating what we have achieved! Today, our country has 803 wilderness areas in 44 states plus Puerto Rico—with stewardship by all four federal land management agencies. Plenty of reason to celebrate—and to work for protecting even more. ❖

-- Vicky Hoover

### A Wilderness Quote:

Senator Clinton Anderson, from 1949 until 1973 senator from New Mexico (the state where the Forest Service designated its first administrative wilderness – the Gila Wilderness – whose centennial we'll mark in 2024) wrote:

"wilderness is an anchor to windward. Knowing it is there, we can also know that we are still a rich nation, tending our resources as we should, not a people in despair searching every last nook and cranny of our land for a board of lumber, a barrel of oil, a blade of grass, or a tank of water."

## New Sierra Club executive director visits Arctic Refuge

For more than 45 years the Gwich'in Nation has been unified in their opposition to drilling in the Arctic National Wildlife Refuge. The Gwich'in have led this effort by sharing their stories with countless people and delivering their message to elected officials. In 1988, Gwich'in Nation members from many villages in northeast Alaska and northwest Canada first came together in Arctic Village, Alaska. At that meeting they passed a resolution supporting permanent protection for the coastal plain of the Arctic Refuge. Since that start in 1988 they have remained steadfast and unwaveringly determined to prevent industrial exploitation of the coastal plain. Over these four decades the Sierra Club has been a strong ally to the Gwich'in.

In the past couple of years, the Club has led the highly successful corporate campaign that applied pressure on the major U.S. financial institutions. As a result, the six largest banks in the U.S. updated their policy to end funding of development in the Arctic Refuge. This partnership will continue under the leadership of new Sierra Club executive Director Ben Jealous.

In early June a group of Sierra Club staff leaders traveled to Arctic Village and on into the Arctic Refuge. The team



Dan Ritzman points out key refuge locations to Ben Jealous while Ana Correa and Chris Hill observe and a rainbow shines.

spent time in the village learning about the Gwich'in connection to the caribou and the land, and their efforts to protect the natural integrity of these wild places. Then they camped for a week in the heart of the Brooks range on the very upper East Fork of the Chandalar River, where our new executive director got a feeling for the immense scope of this fragile, wildlife-rich land.

Club staff participating in the trip were Ben Jealous (executive director), Ana Yanez Correa (Deputy Executive Director), Chris Hill (Director of Conservation and Outdoors), and Dan Ritzman (Director of Conservation Campaigns). Later this year we expect to see a public comment period from the Biden Administration for the second lease sale that was mandated in the 2017 tax act. •

-- Dan Ritzman



Sierra Club members enjoy an Alaska Chapter spring outing on the Briggs Bridge Trail

## Chapter outing news for summer Invitation to new outing leaders

Our spring and summer outings are in full swing! Be sure to be on the lookout on social media, email, and our website for information on future outings.

Want to connect with the local conservation community through outdoor recreation? Become an Alaska Chapter Outings Leader! With more leaders--we can easily offer more exciting outings. We will sponsor you to become first-aid trained and give you all the tools, information and confidence you need to successfully lead hikes, camping trips, bike rides, or any outdoor trip you can dream up that brings people closer to nature. *Email to:* alaska.chapter@sierraclub.org with questions or interest. ❖

-- Andrea Feniger



Locals and tourists came together at the 2023 Anchorage Downtown Partnership's Summer Solstice festivities

(photo: Valerie Kern / Alaska Public Media)

### **Some Alaska events of interest coming up** -- from Peg Tileston's weekly compilation of events

### July through end of month

YOUTH and ADULT SUMMER EDUCATION PROGRAMS at BIRD TREATMENT and LEARNING CENTER for ages 2 - 92. Interactive and fun classes raise awareness of the birds we share the world with. Programs run from June through the end of July at Bird TLC. See all programs here:

https://www.birdtlc.org/education programs.

### June 30

OUTDOOR WALKS AND LEARNING FOR SE-NIORS (O.W.L.S.) will be held from 10 to 11am at the Campbell Creek Science Center. OWLS, Outdoor Walks and Learning for Seniors, is a program for active, inquisitive seniors. Join a CCSC naturalist for an outdoor walk that emphasizes exercise and includes nuggets of nature learning. This event is free and open to the public.

July 12 - 16

EAGLE RIVER - BEARPAW FESTIVAL will be held starting at Noon on Wednesday and running to 10 pm on Sunday. Check https://www.bearpawfestival.org/ for more specifics.

### August 14 - 18

ANCHORAGE - STEWARDSHIP SYMPOSIUM will be held in Dena'ina ełnena (downtown Anchorage). This gathering is intended to build understanding, relationships, and knowledge that advance Indigenous co-stewardship for the health and wellbeing of all. It is a gathering by and for Tribal governments, Alaska Native organizations and corporations, government resource management agencies, university partners, and conservation partners. The symposium will feature knowledgeable speakers from around the state and will engage participants in good conversations. Co-organizers include: UAF Tribal Governance, Northern Latitudes Partnerships, Alaska Conservation Foundation, U.S. Fish & Wildlife Service, The Wilderness Society, Tyonek Tribal Conservation District, Prince of Wales Tribal Conservation District, Alaska Venture Fund, and Central Council of Tlingit & Haida Indian Tribes of Alaska.

### September 26 – 28

FAIRBANKS - The 8th ANNUAL CONFLUENCE: SUMMIT on the OUTDOORS heads to Fairbanks and will focus on co-creating a vision for a regenerative future and the action steps to make it happen. Confluence connects good ideas with the people who can bring them to life. Confluence attracts innovative thinkers and doers from public and tribal for-profits, governmental organizations, and non-profit allies involved in outdoor businesses, tourism, culture & heritage, economic development, public health, transportation, and land relationship planning. Early Bird Registration starts in June. �

## Sierra Borealis / alaska report

is the newsletter of the Alaska Chapter of the Sierra Club

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### Follow Sierra Club's Alaska Chapter

For the latest information on hikes, picnics, guest speakers, and all types of outings, check us out on Facebook or <u>www.sierraclub.com/alaska</u>. �

Action may not always bring happiness, but there is no happiness without action.

-- Beniamin Disraeli

