



For Immediate Release

Contact: Melissa Merz

312-814-3118

877-844-5461 (TTY)

mmerz@atg.state.il.us

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**MADIGAN: ENVIRONMENTAL BENEFITS FROM LANDMARK
CLEAN AIR SETTLEMENT BECOMING REALITY**

STATE ACQUIRES PRISTINE WOODS IN MADISON COUNTY

Edwardsville – Joined by officials of the Illinois Department of Natural Resources (IDNR), area lawmakers, university officials, environmentalists and citizens, Attorney General Lisa Madigan today applauded the State of Illinois' recent acquisition of a parcel of forested land in Madison County made possible by a major settlement regarding air pollution reached in 2005.

At a morning news conference on the campus of Southern Illinois University Edwardsville (SIUE), Madigan and IDNR Deputy Director Leslie Sgro announced that earlier this spring, the IDNR Division of Realty successfully negotiated the purchase of the 92-acre tract of land using funds provided by Dynegy, Inc. The funds were part of a May 2005 settlement between Dynegy, Madigan's office, the U.S. Department of Justice and several environmental organizations, including American Bottom Conservancy, Health and Environmental Justice-St. Louis, Inc., Illinois Stewardship Alliance and Prairie Rivers Network.

The settlement stemmed from a 1999 lawsuit that was part of a federal initiative to bring Dynegy's Baldwin Energy Complex and its other coal-fired power plants into full compliance with the New Source Review provisions of the federal Clean Air Act. At the time, Illinois Power's Baldwin Power Station in Randolph County was one of the largest sources of air pollution in the nation. Dynegy acquired Decatur-based Illinois Power in 2000 and, according to the company, has made significant investments in air emission controls at Baldwin that have resulted in reductions of sulfur dioxide and nitrogen oxide by 90 percent and 65 percent, respectively. Under the consent decree in this case, Dynegy will spend more than half a billion dollars over the next 10 years to further control emissions from the Baldwin Station and four other power plants in Illinois.

Madigan said the recently acquired area, known as Bohm Woods, was at risk of development but now will be preserved as natural land and habitat by IDNR. Bohm Woods is located adjacent to SIUE on a bluff high above the American Bottom floodplain and is the largest and best old growth forest remaining in the Metro-East region of the St. Louis metropolitan area.

“Environmental experts in my office and at IDNR, along with others gathered here today, all agree on the significance of this acquisition,” Madigan said. “Spectacular wildflowers appear each spring and these woods provide a habitat for bird species requiring large blocks of land to survive. Because of this acquisition, these woods will endure as a nearly undisturbed example of an original Illinois forest.”

Madigan continued, “This land acquisition is an example of how enforcing our laws can not only end illegal behavior, but can start the beginning of an entirely new environmental chapter.”

“Bohm Woods is an example of the environmentally rich and diverse habitats unique to Illinois,” said IDNR Director Sam Flood. “Thanks to the collaborative efforts of Attorney General Madigan’s office and the Justice Department, this land will be preserved for important educational and scientific research that will benefit generations to come.”

Archeologists from IDNR note that Bohm Woods was included on the Illinois Natural Areas Inventory, the state’s list of areas of the highest ecological significance for its superior quality dry-mesic upland forest and mesic forest. Oaks, hickories, walnut, sycamore, pawpaw and redbud are among the more than 30 tree species found at Bohm Woods.

The Environmental Law and Policy Center (ELPC) of Chicago represented four citizen environmental organizations that intervened in the lawsuit.

“The environment has benefited in a number of ways from the consent decree that settled the Clean Air Act case regarding Baldwin,” said Albert Ettinger, ELPC senior staff attorney. “Illinois DNR’s acquisition of this important natural area will benefit the people of the Metro-East area and Illinois as a whole.”

Kathy Andria, president of American Bottom Conservancy, based in the Metro-East, said she was pleased that Bohm Woods will now be preserved as an important part of Illinois history.

“So much of our beautiful land is being developed so quickly without regard to the environmental consequences,” Andria said. “Trees help control air pollution. With this acquisition, not only will we have preserved a high-quality forested land, but doing so also will help diminish soil erosion on the bluffs and stormwater runoff to the American Bottom.”

Madigan and Flood noted that the area’s proximity to SIUE could enable its use as a natural classroom laboratory for educational use and scientific research by students and educators.

The \$1,545,600 cost of the purchase of Bohm Woods from a group of 13 owners, some of whom are descendents of the Bohm homestead, fulfills the Metro-East land acquisition portion of the Dynegy consent decree, which requires the company to spend a total of \$15 million on Supplemental Environmental Projects (SEPs). Of the \$15 million in SEPs, \$5 million is allocated to land acquisition and natural resource projects.

“As one of our key business regions and a state where the majority of our employees work and live, we are committed to making a positive difference in

Illinois. In this case, it means helping to protect an important ecosystem,” said Stephen A. Furbacher, president and chief operating officer of Dynegy, Inc. “The Bohm Woods donation and other Dynegy environmental initiatives ensure the long-term preservation of some of the state’s most scenic areas, while providing expanded public use opportunities for current and future generations.”

In addition to the \$1.545 million spent to acquire Bohm Woods, additional natural resource-related SEPs include:

- A donation will be made of 1,135 acres of undeveloped land adjacent to Dynegy’s Vermilion Power Station near Oakwood. The area along the Middle Fork of the Vermilion River, valued at \$2.3 million, will connect a fish and wildlife area to the north and Kickapoo State Park to the south.
- Fish habitat and access channels will be dredged to restore a portion of the Rice Lake Fish and Wildlife Area known as Duck Island in Fulton County. The dredged sediment will be used as topsoil for reforestation on the island as a demonstration project in the “Mud to Parks” program, a joint venture of the Illinois River Coordinating Council and IDNR’s Waste Management Resources Center.
- Dynegy will provide \$200,000 for a project to supply dredged material from the Pekin Lakes access channel to cover the Pekin Landfill with topsoil in a joint project by IDNR and the U.S. Army Corps of Engineers.
- The Nature Conservancy and Ducks Unlimited will each receive \$150,000. The Nature Conservancy is conducting a multifaceted restoration at its Emiquon Preserve near Dickson Mounds in Fulton County. Ducks Unlimited plans to use the funds to supplement its efforts to restore Wightman Lake, a backwater along the upper Illinois River in Marshall County.

“As Dynegy completes adjustments to its coal-fired plants to bring them in line with environmental law so they can continue providing much needed electricity throughout Illinois, the additional \$15 million of supplemental funding provided for in this settlement allows our state a rare opportunity to secure and preserve thousands of acres of land and to fund innovative projects currently underway by state, local and federal agencies and non-governmental organizations,” Madigan said. “This is a situation in which we all win.”

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