



For Immediate Release
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**LANDMARK CLEAN AIR SETTLEMENT RESULTS IN SCENIC
LAND
ACQUISITION FOR ILLINOISANS**

*Madigan: Scenic Middle Fork "Connects" State Fish and Wildlife Area to
State Park in Vermilion County*

Oakwood — Attorney General Lisa Madigan joined with officials of the Illinois Department of Natural Resources (IDNR), environmental advocacy organizations and representatives of Dynege, Inc., today to announce the State of Illinois' recent acquisition of scenic property along the Middle Fork of the Vermilion River. Dynege transferred the land to the State as part of a major clean air settlement reached in 2005.

During an afternoon news conference at the site, Madigan and IDNR Deputy Director Leslie Sgro announced that 1,135 acres of undeveloped land, across the river from Dynege's Vermilion power station near Oakwood, have been officially turned over to the State of Illinois. The acquisition forms a natural connection between the state's Middle Fork State Fish and Wildlife Area to the north and Kickapoo State Park to the south. The land is primarily wooded and dominated by a large, forested ravine system, which contains seep-spring wetlands and other geologically significant areas.

"This is a wonderful opportunity to give future generations the benefit of the addition of this land to the other natural areas under the stewardship of the Department of Natural Resources," Madigan said. "The State's acquisition of this land preserves an important natural area along Illinois' only federally-recognized scenic river, and as a result, enhances the quality of life in East Central Illinois and for all who visit this beautiful park."

The newly-acquired property also connects the Vermilion County Conservation District's 3,000 acre Kennekuk County Park to Kickapoo State Park and the Middle Fork State Fish and Wildlife Area. The area features more than two miles of frontage along the Middle Fork of the Vermilion River.

"The Middle Fork is a unique area and offers some of the highest quality habitat in the state. This acquisition will help to preserve its natural beauty and eventually provide greater recreational opportunities for the area," said Sgro.

Madigan and Deputy Director Sgro said the property will provide better management and control of the Middle Fork by controlling the watershed quality and preserving the high quality bottomland forest along the river

corridor. The property contains high quality mining lakes, upland habitat and wooded area that will provide recreational, hunting and fishing opportunities. In addition, the area provides habitat for a wide variety of wildlife including the wavy-rayed lamp mussel, an endangered species. IDNR biologists are evaluating the area and may begin providing limited access to the public later this year.

Dynergy deeded the acreage to the State of Illinois on March 28, 2007 as part of the May 2005 settlement between Dynergy, Madigan's office, the U.S. Department of Justice, the U.S. Environmental Protection Agency and citizen environmental organizations that included the American Bottom Conservancy, Health and Environmental Justice-St. Louis, Inc., Illinois Stewardship Alliance and Prairie Rivers Network. The Environmental Law and Policy Center (ELPC) of Chicago represented Prairie Rivers Network and the other environmental organizations that intervened in the suit.

"We are very pleased that, in addition to obtaining important controls on air pollution and mercury deposition through the Dynergy Baldwin plant settlement, we were able to obtain this valuable natural land along one of Illinois' most beautiful streams," said Albert Ettinger, ELPC senior staff attorney. "This achievement underscores the importance of both enforcing the Clean Air Act and protecting the natural environment."

Glynnis Collins, Interim Executive Director of Prairie Rivers Network of Champaign, said the non-profit organization enthusiastically assisted IDNR and Dynergy in selecting the area to be preserved.

"Legend has it that decades ago, local anglers secretly stocked bass in the abandoned mine ponds on the power company land. We now look forward to those ponds, and more importantly, the entire 17 miles of frontage along Illinois' first and only National Scenic River, being assessable to all Illinoisans," Collins said.

The Vermilion property, valued at \$2.25 million, is a portion of the \$15 million in Supplemental Environmental Projects (SEPs) Dynergy agreed to undertake in the 2005 settlement of a 1999 lawsuit that was part of a federal initiative to bring Dynergy's Baldwin Energy Complex into full compliance with New Source Review provisions of the federal Clean Air Act. At the time, Illinois Power (IP) owned the Baldwin Power Station in Randolph County and it was one of the largest sources of air pollution in the nation. Dynergy acquired Decatur-based IP in 2000 and, according to company officials, has reduced sulfur dioxide and nitrogen dioxide emissions at Baldwin and its other Illinois-based facilities by 90 percent. Under the consent decree, Dynergy will commit more than half a billion dollars over a 10-year period to emission control.

"Illinois is part of one of our key business regions and is where the majority of our employees in that region work and live. We are committed to making a difference in Illinois by protecting ecosystems. These environmental initiatives support the long-term preservation of some of the state's most scenic areas while providing expanded opportunities for current and future generations," said Stephen A. Furbacher, president and chief operating officer of Dynergy, Inc.

The Vermilion County acquisition follows the State's purchase last year of Bohm Woods, 92 acres of forested land in Madison County, with \$1.545

million in funds provided by Dynegy. Located adjacent to the Southern Illinois University Edwardsville campus, Bohm Woods now is preserved as natural land and habitat by IDNR and is the largest old growth forest remaining in the Metro East region. In December 2006, Bohm Woods was dedicated as a nature preserve by the Illinois Nature Preserves Commission.

The settlement also made possible additional natural resource-related environmental projects including:

- Dredging fish habitat and access channels to restore Duck Island in the Rice Lake Fish and Wildlife Area in Fulton County. The dredged sediment will be used as topsoil for reforestation on the island as part of the “Mud to Parks” demonstration project, a joint venture of the Illinois River Coordinating Council and IDNR’s Waste Management Resources Center. Dynegy has provided \$500,000 to the project.
- \$200,000 in funds provided by Dynegy for a project to supply dredged material from the “Mud to Parks” program to cover the Pekin Landfill with topsoil.
- 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.

Bureau Chief Thomas Davis handled the case and settlement for Madigan’s Environmental Bureau. The IDNR’s Division of Realty handled the logistics and details of the land acquisition.

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