



August 27, 2015

ATTORNEY GENERAL MADIGAN REACHES SETTLEMENT FOR ILLEGAL HERBICIDE TREATMENT

Chicago — Attorney General Lisa Madigan announced today her office has reached a settlement with two Illinois companies for environmental damage caused by herbicides sprayed near the Short Fork Seep Nature Preserve in McDonough County.

Under the terms of the settlement, McDonough Power Cooperative and Spoon River Electric Cooperative must pay \$10,000 in civil penalties and \$7,500 for the nature preserve's restoration costs. The defendants are also required to develop plans to prevent future contamination of the nature preserve or other protected resources within their service areas.

"The nature preserve is home to important wetlands and meadows, and the defendants' actions caused significant damage to these valuable natural resources," said Madigan. "This settlement holds the defendants accountable by requiring that they restore the area and prevent future destruction."

As part of its right-of-way maintenance program, McDonough Power Cooperative hired Spoon River Electric Cooperative in August 2010 to spray herbicide on the ditch adjacent to the Short Fork Seep Nature Preserve in Walnut Grove Township. Madigan's suit alleged the herbicide was discharged by a high-pressure sprayer and went directly into standing water in the preserve.

The 41-acre preserve contains some of the last high-quality remnants of seeps and meadows in the state, according to the Illinois Nature Preserves Commission (INPC). "Seeps" are wetlands with saturated soil that form when groundwater percolates downward until it reaches a layer of rock or clay that channels it horizontally. Seeps are most common along the lower slopes of ravines, terraces, and hills.

"The Illinois Nature Preserves Commission is grateful to the Attorney General's Office for their legal assistance," said INPC Director Randy Heidorn. "The funds received as part of the settlement agreement will be used for restoration activities that improve and sustain the high-quality natural resources that private landowners have worked to protect over the past several years."

Assistant Attorney General Brian Clappier handled the case for Madigan's Environmental Bureau.

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