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## Traditional Community Solar Project Selection – Final Guidelines

October 7, 2022

(Updated October 21, 2022 for Typographical Errors)

The Agency would like to thank all stakeholders that provided comments on the [recent request for comments](#) regarding how to score Traditional Community Solar project applications should first day (or any subsequent day's) applications exceed category capacity. More background information on this stakeholder feedback process can be found in the [recent request for comments](#). This document represents the Agency's final approach for Traditional Community Solar scoring. A separate document will be released contemporaneously to provide the rationale for the decisions the Agency made in finalizing this approach.

The Agency appreciates [all comments received](#) from stakeholders on the strawman proposal. After reviewing the submitted feedback, the Agency has determined to score Traditional Community Solar projects that exceed the first day (or any subsequent day's) category capacity in the following manner.

### Scoring Process - Criteria, Weighting, and Minimum Point Threshold for Waitlist

#### *Scoring Criteria and Weighting*

The Agency will begin accepting Traditional Community Solar applications on November 1, 2022 with that "first day" application window ending at 11:59:59 PM CT. Where applicable, additional clarifications are made through modifications or footnotes below.

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## 1. Built Environment – Maximum of 4 points permitted

- a. Sited on “disturbed land” as defined by United States Geological Survey,<sup>1</sup> “contaminated lands” as defined by the United States Environmental Protection Agency,<sup>2</sup> or rooftops or other structures as outlined in the Commission’s Final Order. (Add 2 points)
- b. Sited on a brownfield, as defined in Section 1-10 of the IPA Act and further clarified in Section 5.4.2 of the Plan.<sup>3</sup> (Add 2 points)

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<sup>1</sup> The USGS further defines disturbed lands between mechanically and non-mechanically disturbed lands, both which fall under the larger umbrella of disturbed lands used in this Plan.

Mechanically disturbed - Land in an altered and often non-vegetated state that, due to disturbances by mechanical means, is in transition from one cover type to another. Mechanical disturbances include forest clear-cutting, earthmoving, scraping, chaining, reservoir drawdown, and other similar human-induced changes.

Non-mechanically disturbed - Land in an altered and often non-vegetated state that, due to disturbances by nonmechanical means, is in transition from one cover type to another. Nonmechanical disturbances are caused by wind, floods, fire, animals, and other similar phenomenon.

Given that USGS no longer utilizes these classifications as land cover categories and does not have an available mapping tool and the Agency considers this definition to have been approved by the Commission through its Final Order in Docket No. 22-0231, compliance will be demonstrated through supporting documentation (which could include government records, financial records, other land use records, news stories, attestations from local officials, and other records demonstrating that the site meets the disturbed land criterion) and an accompanying certification from the applicant.

<sup>2</sup> See U.S. EPA definition for [contaminated lands](#).

<sup>3</sup> The Agency recognizes that there may be overlap between projects defined by the U.S. Environmental Protection Agency (“EPA”) as a brownfield that also meet the definition of contaminated lands. The Agency believes that allowing a contaminated project that qualifies as a brownfield site under Section 1-10 of the IPA Act to receive points in both categories fits within the spirit of this scoring criteria. Therefore, if a project is sited on a location that independently qualifies as both contaminated lands defined by the U.S. EPA *and* as a brownfield under Section 1-10 of the IPA Act, the project may receive points under both (a) and (b) of the Built Environment scoring.

In order to qualify as a brownfield under Section 1-10 of the IPA Act, the project must be able to demonstrate that it is sited in an area that is either (1) located at the site of a coal mine that has permanently ceased coal production, permanently halted any re-mining operations, and is no longer accepting any coal combustion residues, or (2) is regulated by one of the following entities under the following programs: (a) the U.S. EPA under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (“CERCLA”); (b) the U.S. EPA under the corrective Action Program of the federal Resource Conservation and Recovery Act, as amended (“RCRA”); (c) the Illinois EPA under the Illinois Solid Waste Program; or (d) the Illinois EPA under the Illinois Site Remediation Program (“ISRP”). Approved Vendors must submit sufficient documentation to demonstrate that the project is located at the site of a permanently closed coal mine or a site regulated by the identified program above.

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- c. Commitment to utilize agrivoltaics.<sup>4</sup> (Add 1 point)
- d. Commitment to pollinator friendly habitat, as defined in in the Pollinator Friendly Solar Site Act (525 ILCS 55).<sup>5</sup> (Add 1 point)
- e. Sited on Conservation Opportunity Areas as defined by the Illinois Department of Natural Resources.<sup>6</sup> (Subtract 2 points, unless the project received points for 1.d. *and* is sited in an Environmental Justice Community, an R3 area, and/or on a brownfield site, contaminated land, disturbed land, or rooftop or other structure)<sup>7</sup>

## 2. Siting – Maximum of 4 points permitted

- a. Sited in an Environmental Justice Community<sup>8</sup> or an R3 area.<sup>9</sup> (Add 2 points)
- b. Sited on land owned by a non-profit or public entity. (Add 2 points)
- c. Sited in a county (or a township within Cook, DuPage, Kane, Lake, McHenry, or Will County) that does not currently have a community solar project that was approved by

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To demonstrate brownfield qualification, the IPA will use the same qualification and evidentiary standards as utilized in its most recent Indexed REC procurement event; those can be found in Appendix B – Brownfield Requirements.

<sup>4</sup> The definition of agrivoltaics and requirements for this scoring criterion are found in Appendix A – Agrivoltaics Requirements.

<sup>5</sup> Resources for how to successfully certify as pollinator friendly here:  
<https://www2.illinois.gov/dnr/conservation/pollinatorscorecard/pages/default.aspx>

<sup>6</sup> See IDNR’s Conservation Opportunity Areas Region Locator Map here:  
<https://www2.illinois.gov/dnr/conservation/IWAP/pages/conservationopportunityareas.aspx>. A more detailed set of maps is also available at:  
<https://hub.arcgis.com/maps/IDNR::conservationopportunityareas/about>

<sup>7</sup> A previously released version of this document inadvertently omitted “disturbed land” from the 1.e COA subtractor allowance.

<sup>8</sup> A map of Environmental Justice Communities as defined by the IPA through its Illinois Solar for all Program can be found here:  
<https://elevate.maps.arcgis.com/apps/webappviewer/index.html?id=cfd020c99ed844668450c6b77each411>

<sup>9</sup> R3 Areas established pursuant to Section 10-40 of the Cannabis Regulation and Tax Act, are defined as areas where residents have historically been excluded from economic opportunities, including opportunities in the energy sector; For a map see: <https://r3.illinois.gov/eligibility>

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the ICC for a REC contract under the Adjustable Block Program at the time of application.<sup>10</sup> (Add 2 points)

### 3. Equity Eligible Contractors – Maximum of 4 points permitted<sup>11</sup>

- a. Project is developed by an EEC certified Approved Vendor and can demonstrate contractual commitments for all project development work<sup>12</sup> to be performed by EEC certified Designees. (Add 4 points)
- b. Project is developed by a non-EEC certified Approved Vendor and can demonstrate contractual commitments for all project development work to be performed by EEC certified Designees. (Add 3 points)
- c. Project is developed by an EEC certified Approved Vendor and the contractual commitments for EEC certified Designee(s) that all project development<sup>13</sup> work represents 50% or more of the project’s REC Contract value<sup>14</sup> (Add 2 points)

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<sup>10</sup> Multiple projects in a given county or township that does not presently feature a community solar project either under contract or part of developers’ March 2022 reopening portfolios may receive points in this category for the current program year. Project application reports will be used to verify this information.

<sup>11</sup> For purposes of this scoring category, Designees that have submitted an application but are not yet certified as Equity Eligible Contractors by the Program Administrator will be permitted to be utilized as EEC Designees. If a Designee’s EEC application is not approved by the Program Administrator, a substitution will need to be made for a qualifying EEC Designee. EEC Designees will need to be certified by the application scoring cure period. This allowance will only be made in the initial scoring of Day 1 applications. After such time, all EEC Designees must be certified at the time of Part I application submission to achieve points for the EEC scoring criteria.

<sup>12</sup> For purposes of this category, “project development work” refers to all construction and electrical work on a project, and project-specific site assessment work such as permitting, legal, and other site-specific development work, including work that may have already been undertaken prior to project application. Non-site specific development functions (such as general sales and marketing activities) will not be considered as project development work. This definition also differs from the “project workforce” definition utilized for the Minimum Equity Standards as outlined in P.A. 102-0662, for which a firm’s Illinois-based employees are included in the “project workforce” regardless of function.

<sup>13</sup> A previous version of this document inadvertently used “work on the project” here instead of “project development work”.

<sup>14</sup> For purposes of this category, the IPA will assess the percentage of the REC contract value spent utilizing EEC-certified Designees to be taken through a comparison of a) the value of the REC Delivery Contract (expected deliveries x REC price across the contract term) and b) the demonstrated value of agreements for the project development work to be performed by EEC-certified Designees in developing the project, with those agreement submitted to the Program Administrator at the Part II stage. If the latter value meets or exceeds 50% of the former value, then that project will be deemed to have met this criterion.

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- d. Project is developed by a non-EEC certified Approved Vendor and the contractual commitments for EEC certified Designee(s) that all project development work<sup>15</sup> represents 50% or more of the project's REC Contract value (Add 1 point)

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<sup>15</sup> A previous version of this document inadvertently used “work on the project” here instead of “project development work”.

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#### 4. Interconnection Status – Maximum of 4 points permitted

- a. Project has a valid interconnection agreement at the time of application (Add 1 point)<sup>16</sup>
- b. Project has a top-two queue position among community solar projects on a substation on the date of the application (Add 2 points)<sup>17</sup>
- c. Recency of project having obtained a valid interconnection agreement (Add up to 1 point)
  - i. Should project applications received on the first day exceed category capacity, the project with the earliest interconnection agreement effective date will receive a full 1 point. If there are multiple projects that share the earliest interconnection agreement effective date, they will each receive 1 point.<sup>18</sup>
  - ii. The project with the latest (i.e., most recent) interconnection agreement effective date will receive 0.25 points. If there are multiple projects that share the latest interconnection agreement effective date, they will each receive 0.25 points.
  - iii. Projects applying on November 1, 2022, with an interconnection agreement effective date between the earliest and latest dates as established in i. and ii. directly above, will be assigned points based on a sliding scale between 1 and 0.25 points based upon their rank-order from the earliest effective interconnection date to the latest effective interconnection date. Each independent effective interconnection date within this rank-order will be assigned an independent fractional score between 1 point and 0.25 points. As such, projects that have the same effective interconnection agreement date will receive the same number of points.

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<sup>16</sup> Pursuant to Article 3 of the Interconnection Contract (see 83 Ill. Adm. Code Part 467, Appx. C), the interconnection agreement will be considered “valid” if it is fully executed by both parties and the effective of the contract date (i.e., the date noted in the first paragraph of the agreement, pursuant to 3.1 of the contract) falls before the date of the application.

<sup>17</sup> Demonstration of queue position among other community solar projects can be accomplished through a snapshot of the interconnection queue (taken after interconnection agreement execution), verification from interconnecting utility, or other supporting materials, if applicable, submitted with a project application and accompanying certification. The IPA will also endeavor to work with the utilities to verify the accuracy of queue position submittals and reserves the right to take disciplinary action against firms found to have knowingly submitted a false queue position.

<sup>18</sup> As noted above, Section 3.1 of the contract defines the effective date of the interconnection agreement as the date noted in the first paragraph of the agreement. (83 Ill. Adm. Code Part 467, Appx. C).

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- iv. If a project lacks an effective interconnection agreement, no points will be awarded to that project under this category for that project.
- v. For projects submitted *after* the first day of category opening (i.e., on or after 12:00:00 AM CT November 2, 2022), will be assigned points based upon the recency of the agreement on a sliding scale based upon their rank-order from earliest effective interconnection date to the latest effective interconnection date; the maximum available points for recency of interconnection agreement shall be .25 points (for the earliest interconnection date), and the minimum points available shall be .10 points (for the latest interconnection date).

#### *Waitlist Point Threshold*

Projects must receive a **minimum score of 5 points** to receive a spot on the waitlist. Should first day project applications *not* exceed category capacity, then all applicant projects otherwise qualifying shall be deemed acceptable and may qualify for a REC Delivery Contract. Should category capacity fill later in the program year, then from that point forward, only projects meeting this scoring threshold of 5 points may be considered for an eligible for a spot on the waitlist for the Traditional Community Solar category. Demonstration of continuous site control will be required to maintain a waitlist position throughout the program year and into the next program year; the degree to which this is monitored by the Program Administrator, and the manner of that monitoring, will be determined at a later date.

#### *Additional Information*

##### Developer Cap

The IPA proposed a 20% developer cap in its filed Plan; although the Commission found that this cap was “not described in sufficient detail by the parties,” the Agency believes that prior experience utilizing a developer cap for the 2019 lottery and for the 2021-22 ABP reopening provides useful reference points. That 20% value is consistent with the value used during the 2019 lottery process and 2021 waitlist allocations arising from Public Act 102-0662, and should similarly apply inclusive of both the applicant firm and any affiliates. This cap will be applied across megawatts awarded, rather than the number of contracts awarded (that is, if the capacity for the Traditional Community Solar category were to be 100 MW in a program year, a single developer could be awarded at most 20 MW; the number of contracts awarded is unrelated to the developer cap).

As the Commission’s Order voices concern over ensuring “a fair ranking of the waitlist,” the Agency believes contract awards off an established projects should not be made to a firm who would then hold over 20% of contract awards made for that program year (non-inclusive of transfers or assignments ) through the waitlisted project contract award. Thus, while an entity that was awarded the maximum of 20% of REC Delivery Contract awards could have the highest ranked projects on an ordinal waitlist (and that ranking would not change, including for use in the next program year), those projects would only be awarded REC Delivery Contracts in the current program year in the case of a removal of one (or

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more) of that entity's projects already having received a contract award so as to ensure that the 20% developer cap would not be exceeded.

## **Qualification and Demonstration, Verification, and Compliance**

### *Qualification and Demonstration*

Each criterion carries different challenges with verifying qualification for preference in scoring. While some criteria are binary and compliance can be demonstrated through an address or cross-referencing a map, in other cases, robust documentation will be required to demonstrate qualification. In general, qualification will be demonstrated through supporting materials demonstrating that the criterion is met and an accompanying attestation, and the Program Administrator will assess the sufficiency of a submittal and request additional information where appropriate. Supporting documentation for each criterion the Approved Vendor seeks to score points for will need to be submitted in the portal at the time of application.

Demonstration of compliance with EEC scoring adds provides timing challenges: while demonstration that the *applicant Approved Vendor* is an EEC is straightforward—either that entity has qualified as an EEC, or it has not—demonstrating qualification of subcontractor Designees may not be possible at the time of Part I application. Therefore, while an applicant need not demonstrate contractual relationships with an EEC sufficient to cover all or up to half of project development work at the time of Part I application, the Part I application must include identification of an applicable EEC and an attestation from an EEC of its interest and capacity to perform project development work.

### *Verification*

In the event that the capacity for the Traditional Community Solar block is exceeded on Day 1, the Program Administrator's application review team will first seek to review all submitted applications for any deficiencies. This review process will assess only project specifications and requirements, not any attributes of the project submitted for scoring purposes. This application review process will take place prior to any application scoring to ensure that the universe of applications being scored is viable. After the project specifications for these applications are reviewed and deficiencies cured, the application scoring will commence. After scores are determined by the Program Administrator's scoring team, those scores will be shared individually with each Approved Vendor for review. After review of scores is completed, all scores will be made public and the ranked ordinal list will be posted publicly. Any subsequent Traditional Community Solar applications submitted to the Program will be added to a waitlist, so long as the applications meet the minimum point threshold for waitlist acceptance.

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Proposed Schedule for Application Review and Scoring<sup>19</sup>

1. Application Review Period
  - a. Applications undergo initial review by Program Administrator – Approximately 4 weeks
2. Application Cure Period
  - a. Approved Vendors cure deficiencies identified by Program Administrator – Approximately 2 weeks
3. Application Scoring Period
  - a. Program Administrator begins scoring process for all relevant applications (those submitted without deficiencies and those that successfully cure deficiencies during the 2 week cure period) – Approximately 3 weeks
4. Scoring Cure Period
  - a. Approved Vendors are offered a chance to review initial score and dispute and resolve any discrepancies – Approximately 2 weeks

Final scores will be posted publicly after the scoring cure period closes.

*Compliance*

Approved Vendors will be asked to submit proper documentation for each scoring criterion sought based on the following table.

**1. Submissions at Part I Application**

| Scoring Criterion | Topic   | What Should Be Submitted  |
|-------------------|---|---|
| 1.a               | Built Environment – Disturbed/Contaminated Land | Provide documentation of qualifications per definition  |
| 1.b               | Built Environment – Brownfield                  | Provide documentation of qualifications per definition  |
| 1.c               | Built Environment – Agrivoltaics                | Agrivoltaics development plan with all required items outlined in Appendix A  |
| 1.d               | Built Environment – Pollinator Friendly Habitat | Pollinator Friendly Habitat development plan that aligns with IDNR’s Illinois Planned Pollinator Habitat on Solar Sites |

<sup>19</sup> Please note this schedule is tentative and will be dependent on both the quality and quantity of applications received.

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|     |  | Scorecard <sup>20</sup>  |
| 1.e | Built Environment – Conservation Opportunity Area (“COA”)                                    | Statement that this scoring criterion is sought after (Yes/No)<br><br>AND<br><br>Name of COA project is located in   |
| 2.a | Siting – Environmental Justice Community and R3 area   | Statement that this scoring criterion is sought after (Yes/No)   |
| 2.b | Siting – Land owned by non-profit or public entity   | Site control documentation that proves ownership   |
| 2.c | Siting – County without Community Solar (both TCS and CDCS) project                          | Statement that this scoring criterion is sought after (Yes/No)   |
| 3.a | Equity Eligible Contractor – EEC AV and EEC Designee(s)                                      | Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification   |
| 3.b | Equity Eligible Contractor – Non-EEC AV and EEC Designee(s)                                  | Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification   |
| 3.c | Equity Eligible Contractor – EEC AV and 50% of development work performed by EEC Designee(s) | Provide name of EEC Designee(s) that AV is partnering with and date of EEC certification<br><br>AND<br><br>Attestation from EEC Designee(s) of its interest and capacity to perform project development work |
| 3.d | Equity Eligible Contractor – Non-EEC AV and 50%  | Provide name of EEC  |

<sup>20</sup> See: <https://www2.illinois.gov/dnr/conservation/pollinatorscorecard/pages/default.aspx>

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|     |  |   |
|-----|--|---|
|     | of development work performed by EEC Designee(s)                       | Designee(s) that AV is partnering with and date of EEC certification<br><br>AND<br><br>Attestation from EEC Designee(s) of its interest and capacity to perform project development |
| 4.a | Interconnection Status – Valid Interconnection Agreement <sup>21</sup> | Copy of agreement and date of last signature (thus making the agreement valid)<br><br>If not applicable, please state “N/A” or “No interconnection agreement available”             |
| 4.b | Interconnection Status – Top 2 Queue Position                          | Identifier of relevant substation and queue position (if available)<br><br>If not applicable, please state “N/A” or “No queue position available”                                   |
| 4.c | Interconnection Status – Recency of Interconnection Agreement          | No submission of information required, can be determined from information provided via item 4.a   |

**2. Changes Between Part I and Part II**

Failure to meet any criteria which resulted in more favorable scoring (and thus a higher likelihood of contract award) would be considered an event of default under the REC Delivery Contract resulting in the full forfeiture of collateral, with the system unable to be Part II verified. For example, if a project did not use sufficient levels of EEC Designees as submitted in the Part I application or failed to leverage the project site for agricultural use as stated in an agrivoltaics plan submitted in the Part I application, the Program Administrator would not Part II verify the project. Approved Vendors would have the right to appeal Program Administrator determinations of non-compliance with scoring criteria to the IPA. A demonstrated pattern of such defaults could result in disciplinary action, including ineligibility for future contract awards.

<sup>21</sup> A valid interconnection agreement is an agreement signed by both the interconnecting utility and the customer. Partially executed agreements will not be accepted.

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a. **Permitted Changes Between Part I and Part II Application**

i. Agrivoltaics

1. Changes to an agrivoltaics plan, such as a change in crop utilization or footprint size (above the required 50% outlined in Appendix A), are permitted. Any changes to an agrivoltaics plan that occur between the Part I and Part II application must be made in writing via an updated plan to the Program Administrator.

ii. Pollinator Friendly Habitat

1. Changes to a Pollinator Friendly Habitat plan, such as a change in crop utilization, are permitted. Any changes to a Pollinator Friendly Habitat plan that occur between the Part I and Part II application must be made in writing via an updated plan to the Program Administrator.

iii. EEC Designee Substitution

1. Substitution of the EEC Designee(s) that will support a project due to unforeseen circumstances can be made between the Part I and Part II application. Any substitutions must be made in writing to the Program Administrator, and are subject to review and verification.

**3. Part II Verification of Commitments Made at Part I**

The Program Administrator will request confirmation that any commitments made in the Part I application were fulfilled throughout project development, including but not limited to:

- a. Built Environment – Agrivoltaics
- b. Built Environment – Pollinator Friendly Habitat
- c. EEC Designee commitments

As noted above, any changes to commitments made in the Part I application submission which resulted in more favorable scoring (and thus a higher likelihood of contract award) would be considered an event of default under the REC Delivery Contract resulting in the full forfeiture of collateral, with the system unable to be Part II verified.

**4. After Part II Verification**

As most of the scoring criteria for Traditional Community Solar project will take place during the project development cycle (thus take place across the Part I and Part II application process), there is a limited scope of criteria that the Agency will need to monitor after Part II verification. Two commitments that, if applicable, the Program Administrator will seek to monitor throughout the life of the REC Delivery Contract are scoring criterion Built Environment – Agrivoltaics (1.c) and Built Environment – Pollinator Friendly Habitat (1.d). As both of these criteria are commitments that are to be continued throughout the life of the REC contract, the Program Administrator will request updated reporting at the Annual Report each July and will also seek to ensure that projects that have made these commitments are in compliance via random project inspections.

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## Appendix A – Agrivoltaics Requirements

### Definition of Agrivoltaics

The definition of agrivoltaics written by the Agency in the original strawman proposal was generally supported by stakeholder feedback. Therefore, the definition will be as follows:

The IPA proposes to define agrivoltaics as “[a] dual-use configuration where solar photovoltaic energy generation and agricultural production (crops, livestock, and livestock products as defined by 505 ILCS 5/3.02) are directly integrated and simultaneously producing within the footprint of the project. At least 50% of the project footprint must feature agricultural production at the time of project energization.”

The Agency is implementing an initial 50% project footprint requirement, which may be reevaluated in the drafting of the Agency’s next Long-Term Renewable Resources Procurement Plan, if needed.

#### Livestock Grazing

The majority of stakeholder comments supported the inclusion of grazing in the definition of agrivoltaics projects. As such, livestock grazing will be included as a type of permissible agriculture uses under agrivoltaics, as it supports the spirit of agricultural production coinciding with solar energy production.

### Requirements for Successful Agrivoltaics Plans

In order to achieve the point available for scoring criterion *Built Environment - Agrivoltaics*, projects must comply with the requirements listed below. These requirements outline the types of projects and activities that qualify as agrivoltaics within the Program. These standards were utilizing American Farmland Trust’s stakeholder feedback comments and standards established by the Solar Massachusetts Renewable Target Program.<sup>22</sup>

The Part I application must include a description demonstrating the planned agricultural use of the site, and explanation of the viability of that use, and an accompanying attestation of the intent to utilize agrivoltaics throughout the lifetime of the REC contract. Firm demonstration of active agricultural use is required at Part II.

Agrivoltaics plans submitted in the Part I application should include documentation of the following:

1. Solar panels do not interfere with the continued use of land beneath the canopy for agricultural purposes;

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<sup>22</sup> “Guideline Regarding the Definition of Agricultural Solar Tariff Generation Units,” Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs, last modified April 26, 2018, <https://www.mass.gov/doc/agricultural-solar-tariff-generation-units-guideline-final/download>

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2. The solar panels optimize a balance between electricity generation and agricultural production;
3. The system:
  - a. Accommodates continuous growth of crops underneath or between the solar photovoltaic modules, with height enough for labor and/or machinery as it relates to tilling, cultivating, soil amendments, harvesting, etc. and grazing animals;
  - b. Maintains or enhances the agricultural productivity of the land and soil health throughout the lifetime of the system;
4. Crop(s) are compatible with the design of the agricultural solar system accounting for such factors as crop selection, sunlight percentage, etc.;
5. Commitment to the annual reporting of the productivity of the crop(s) and herd, including pounds harvested and/or grazed, herd size growth, success of the crop, potential changes, etc., shall be provided one year after project implementation and throughout the project's lifetime;
6. The system design information, shall include, but is not limited to:
  - a. dual-use type, e.g., ground mount racking, pole towers, tracking, etc.;
  - b. total gross acres of open farmland to be integrated with the project;
  - c. type of crop(s) to be grown, including grazing crops;
  - d. pounds of crop(s) projected to be grown and harvested, or grazed;
  - e. animals to be grazed with herd size(s); and
  - f. design drawing including mounting system type (fixed, tracking), panel tilt, panel row spacing, individual panel spacing, for pole towers tower spacing and mounting height, etc.;
7. The system is designed and maintained with provisions for decommissioning to preserve the land's agricultural resources and utility during and after the project's lifetime; and
8. The land is continuously used for agrivoltaics purposes through the duration of the REC Delivery Contract, while seasonally appropriate.

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## Appendix B – Brownfield Requirements

The requirements of this section apply only to projects seeking points under scoring criterion 1.b due to location on a brownfield site.

### A. Location Information

A brownfield site photovoltaic project must be located in Illinois and must be entirely contained within the brownfield site. An Approved Vendor must provide the following information about the location of the project:

- A complete address for the Project; and
- A map of the Project site clearly showing the site location.

The Program Administrator may request additional information regarding the Project site and the Approved Vendor will be required to respond to any such request for additional information. If the project is co-located with another facility on a greenfield site, the Approved Vendor must disclose this fact and the Program Administrator may request additional information, which the Approved Vendor will be required to provide with its Part I application.

### B. Project Site

The Approved Vendor must indicate whether the project site is an area that is regulated by one the following entities under the following “Programs”: (1) the United States Environmental Protection Agency under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (“CERCLA”); (2) the United States Environmental Protection Agency (“U.S. EPA”) under the Corrective Action Program of the federal Resource Conservation and Recovery Act, as amended (“RCRA”); (3) the Illinois Environmental Protection Agency (“IEPA”) under the Illinois Solid Waste Program; or (4) the Illinois Environmental Protection Agency under the Illinois Site Remediation Program (“SRP”). Or the Approved Vendor must indicate that the project site is located at the site of a coal mine that has permanently ceased coal production, permanently halted any re-mining operations, and is no longer accepting any coal combustion residues.

### C. Supporting Documentation for Projects Regulated by One of the Programs

The Approved Vendor must submit sufficient documentation, dated no earlier than 25 years prior to the application date, to demonstrate that the project site is regulated by the Program named in the immediately previous item. Sufficient documentation means: (i) for CERCLA, a site assessment, remedy decision, cleanup plan, or similar document; (ii) for RCRA, a demonstration of the U.S. EPA requiring corrective action such as a permit application, administrative order, court order, or equivalent document; (iii) for the IEPA Solid Waste Program, a solid waste permit; and (iv) for the IEPA Site Remediation Program, the Bidder must provide a Site Investigation Report, or a Remedial Action Plan, or a Remedial Action Completion Report, or a No Further Remediation Letter. The Program Administrator may consider other forms of documentation provided by the Approved Vendor to demonstrate regulation under the above Programs if appropriate.

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#### **D. Additional Documentation for Projects Regulated by the IEPA SRP**

The requirements of this item apply only to sites regulated by the IEPA Site Remediation Program ("IEPA SRP"). In such a case, the Approved Vendor must demonstrate actual blight or contamination of the site by providing one of the following in the Part I application: (i) proof that the project site is also regulated by another Program referenced in Section 1-10 of the IPA Act (if documentation from another Program could not be submitted instead of the documentation from the IEPA Site Remediation Program because it was dated before a date 25 years prior to the Bid Date); or (ii) demonstration of contamination at the Project site and determination of the need for remediation activities through a site assessment from the U.S. EPA Targeted Brownfields Assessment; or (iii) additional documents from the IEPA Site Remediation Program. If the Approved Vendor is electing to provide additional documents from the IEPA Site Remediation Program, the Bidder must: (a) if the Approved Vendor has not already done so, provide a Remedial Action Plan and such document must demonstrate that concentrations of contaminants at the project site exceeded the remediation objectives established for the project site and require remediation activities; and (b) if the Approved Vendor has not already done so, provide the Remedial Action Completion Report and a No Further Remediation Letter, or certify that such documents have not been issued. If the Remedial Action Completion Report has been issued, it must be provided; it must state that remediation was indeed conducted at the Project site, and it must be dated later than the Remedial Action Plan. If a No Further Remediation Letter is provided, it must cover the entirety of the Project site.

#### **E. Supporting Documentation for Projects Located at the Site of a Permanently Closed Coal Mine**

The requirements of this item apply only to sites located at the site of a coal mine that has permanently ceased coal production, permanently halted any re-mining operations, and is no longer accepting any coal combustion residues. The Approved Vendor must provide a certification that as of the submission of the Part I application, the coal mine at which the project is located has permanently ceased coal production, permanently halted any re-mining operations, and is no longer accepting any coal combustion residues. The Approved Vendor must also submit sufficient documentation to demonstrate that the Project site has both completed all clean-up and remediation obligations under the federal Surface Mining and Reclamation Act of 1977 and all applicable Illinois rules and any other clean-up, remediation, or ongoing monitoring to safeguard the health and well-being of the people of the State of Illinois, as well as demonstrated compliance with all applicable federal and State environmental rules and regulations, including, but not limited to, 35 Ill. Adm. Code Part 845 and any rules for historic fill of coal combustion residuals, including any rules finalized in Subdocket A of Illinois Pollution Control Board docket R2020-019. Sufficient documentation means all of: (1) a copy of the permit(s) for coal mining operation/operations including a copy of the reclamation plan approved by the Department of Natural Resources; (2) a copy of the Department of Natural Resources decision approving the permit(s); and (3) documented confirmation that reclamation Phases I, II, and III have been completed for the project site by providing evidence that the entirety of the performance bond for the project site has been released. Sufficient evidence of performance bond release at the completion of Phase III includes, but is not limited to, a screenshot from the Illinois Mine Permits map showing the Phase 3

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Status is “Released” or other documentation, if appropriate. The permit(s) must cover the project site, which may be a portion of the coal mine. The Program Administrator may consider other forms of supporting documentation provided by the Approved Vendor if appropriate.

Status of Remediation

The Approved Vendor must provide describe the status of remediation of the project site.

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