American Farmland Trust

To: Illinois Power Agency
From: American Farmland Trust
RE: Feedback for IPA's Long Term Renewable Resources Procurement Plan
Date: June 22, 2023

Background

American Farmland Trust (AFT) saves the land that sustains us by protecting farmland, promoting sound farming practices, and keeping farmers on the land.

Illinois is one of the most productive agricultural states in the nation. Still, more than 244,000 acres of farmland were converted to developed uses in the past two decades alone[1]. One impact of this development is the loss of smaller production acres that are important for diversifying agricultural production and local food efforts. Currently, more than 90% of the food consumed in Illinois is produced elsewhere[2].

Prior to the passage of the Illinois' Climate and Equitable Jobs Act in 2021 and the Inflation Reduction Act in 2022, AFT projected that solar installations would permanently convert 82,400 acres of Illinois' agricultural land[3]. This projection is currently being revised upward given the substantial funding driving renewable energy developments. Without attention to how to best locate solar development while mitigating impacts to farmland, new solar installations may inadvertently contribute to these trends and limit local agricultural opportunities.

AFT believes there is a middle ground that can promote the development of solar energy, protect environmental outcomes and support agricultural production. AFT works to advance "smart solar" to enable the transition to renewable energy while strengthening farm viability and protecting our nation's farmland. Smart solar minimizes impact on agricultural land and makes any solar built on farmland more beneficial for farmers and for agriculture. AFT has developed the following smart solar principles[4]:

- Prioritize solar developed on the built environment (e.g. rooftops, carports) disturbed and contaminated land (e.g. brownfields, landfills), and marginal agricultural land
- Minimize conversion of our land most well-suited for agricultural production to traditional ground-mounted solar
- Protect and enhance soil health for solar projects on all agricultural land by requiring developers to follow best practices to minimize soil disruption and compaction during times of high disturbance (e.g. construction, decommissioning) and throughout the life of the project
- Maximize agrivoltaics, otherwise known as dual-use solar, on land well suited for agriculture.
- Ensure that solar built on agricultural lands prioritizes farmer interests and community farm viability.
- Promote an equitable, ethical, and inclusive process for solar development.

---

[1] Freedgood, J., Hunter, M., Dempsey, J. and Sorenson, A. 2020. Farms Under Threat: State of the States. Washington D.C.: American Farmland Trust. https://s30428.pcdn.co/wp-content/uploads/sites/2/2020/09/AFT_FUT_StateoftheStates_rev.pdf

[2] Chicago Metropolitan Agency for Planning. 2012. The Local Food System. Local Technical Assistance Program. https://www.cmap.illinois.gov/documents/10180/117119/FY12-0115+LOCAL+FOOD+BROCHURE_nospread.pdf/55c0aeb5-118a-4e83-a99a-d1d27093d4c7?t=1386802006000

[3] Hunter, M., A. Sorensen, T. Nogeire-McRae, S. Beck, S. Shutts, R. Murphy. 2022. Farms Under Threat 2040: Choosing an Abundant Future. Washington, D.C.: American Farmland Trust. Farms Under Threat 2040: Solar Modeling Reports - FIC (farmlandinfo.org)

[4] Hunter, M., A. Sorensen, T. Nogeire-McRae, S. Beck, S. Shutts, R. Murphy. 2022. Farms Under Threat 2040: Choosing an Abundant Future. Washington, D.C.: American Farmland Trust. https://farmlandinfo.org/wp-content/uploads/sites/2/2022/08/AFT_FUT_Abundant-Future-7_29_22-WEB.pdf

We are pleased that many of these elements continue to be reflected in the "Traditional Community Solar Scoring Guidelines" and appreciate the opportunity to provide continued feedback on IPA's Long-Term Plan.

TOPIC 13: Traditional Community Solar Scoring Guidelines

Question 1. Should the Agency consider another approach to discourage the development of TCS projects on greenfields or land that is available for conservation? Please provide details on what approach the Agency might use to ensure development does not coincide with this type of land.

AFT's Smart Solar principles call for priority siting of Traditional Community Solar projects on the built environment, on disturbed and contaminated lands, and on brownfields to protect farmland from development impacts. This is particularly pressing in Illinois where 68% of the agricultural land is Prime Farmland according to NRCS[5]. The code of Federal Regulations defines Prime Farmland as "land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion, as determined by the Secretary of Agriculture. It may include lands currently used to produce livestock and/or timber.[6]"

AFT suggests consideration of a points deduction within the TCS scoring guidelines under 'Siting' for projects proposed on Prime Farmland if Agrivoltiacs and or Pollinator are not incorporated to discourage development on greenfields. This will provide for the continued prioritization of certain developments, while discouraging, but not barring these lands from potential TCS projects when overwhelming rationales are present.

Conversely, there is growing concern[7] around the continued viability of farming operations occurring on lands that are contaminated with PFAS, or "forever chemicals," as the result of the spreading of municipal sludge as a soil fertilizer. In many cases, it is likely that these lands, accounting for thousands of acres, will be found to be no longer suitable for food or crop production because of the potential health impacts to consumers while also having limited access to conservation programs.

These lands may not currently meet the EPA's "contaminated lands" definition and are unlikely to be listed as brownfields at this time given the recent discovery of contamination. As these lands are identified, AFT asks that farmland contaminated by PFAS be included within the priority ranking for solar siting, alongside contaminated lands, and brownfields. This will allow for the prioritization of solar installation on land that is currently not suitable for agricultural production while also providing economic relief to the landowners who are no longer able to use their land for productive purposes.

Question 4. Do stakeholders find that commitments to scoring points both under Agrivoltaics (scoring criterion 1.c) and the Pollinator Friendly Habitat (scoring criterion 1.d) are at odds? If so, please explain why and how the Agency can amend these scoring criteria to solve for this issue.

AFT appreciates IPA's continued support for agrivoltaics and pollinator friendly habitat as scoring criteria for the prioritization of community solar projects. As a leader in the conservation agriculture movement for more than 40 years we have championed policies that support agricultural production, promote ecosystem services, and protect our environment.

---

[5] NRCS Illinois | Natural Resources Conservation Service (usda.gov)
[6] eCFR :: 7 CFR Part 657 -- Prime and Unique Farmlands
[7] Hawthorne, Michael. 2022. Sewage sludge contaminated with toxic forever chemicals spread on thousands of acres of Chicago-area farmland, Chicago Tribune, July 31 edition. https://www.chicagotribune.com/news/environment/ct-pfas-sludge-illinois-farmland-20220731-7xqijchadfhilbvkut3ndw5uja-story.html

In current form, the Pollinator Scorecard subtracts 40 points for the use of undifferentiated insecticides or pre-planting treatments rendering pollinator friendly agrivoltaic projects unlikely to earn both points for siting criteria. AFT believes that this approach should be amended through consideration of alternative agricultural models that rely on and benefit from healthy pollinator populations. AFT recommends including consideration of the class, mode of action, method, and rate of application for determining the risk profile of insecticide use to pollinator habitats and developing tiered points reductions in place of a blanket reduction. Further consideration of commonly used agricultural practices such as buffer areas should be included as elements of a tiered scoring system. U.S. EPA maintains databases for Minimum Risk, Reduced Risk and Conventional pesticides which could provide guidelines for a tiered scoring approach.

Agrivoltaic and pollinator friendly scoring criteria for Traditional Community Solar projects will be further reconciled by establishing thresholds of practice implementation across development footprint. AFT suggests a minimum of 50% of the site should integrate crop production or livestock grazing, including allowances for planting cover crops and fallow periods, as a condition of earning points as both an agrivoltaic project and pollinator friendly habitat. This threshold ensures the project contributes meaningfully to agricultural production and is key to maintaining a successful farming enterprise.

Through consideration of multiple agricultural models, and ensuring adequate agricultural production, AFT believes that IPA scoring guidelines can encourage the potential of Traditional Community Solar projects to support environmentally sound local food production, pollinator habitat, farm viability and land access for next generation farmers and ranchers. An integrated approach to agriculture, the environment and energy production is vital to the multiple goals of TCS project development.

Thank you very much for your consideration of our feedback. We are happy to discuss these points in greater detail. Please let us know if there is any additional information that we can provide.

Sincerely,

Joel Tatum
Midwest Solar Specialist
American Farmland Trust
jtatum@farmland.org

Dylan Cook
Midwest Policy Manager
American Farmland Trust
dcook@farmland.org