



November 6, 2023

Chair Randolph and Board Members  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Dear Board and Staff of the Air Resources Board,

Thank you for the opportunity to comment on the fiscal year 2023-24 Funding Plan's proposed \$623.6 Million investment supporting the transition to zero-emission vehicles. We support California's innovative incentives for vehicle purchases, for e-bikes, for school and community mobility, for drayage trucks, school buses, small e-fleets, off-road equipment, and all of the proposed incentives to transition transportation away from dependence on fossil fuels. We encourage the Air Resources Board to consider a due-diligence screen for responsible mineral sourcing for these clean transportation incentives.

We operate in several coalitions; via one coalition supporting the California Jobs and Environment Plan (CJEP) we are advancing several ideas for the HVIP program to ensure best practices in job quality for workers who build and source materials for HVIP eligible vehicles. With this comment letter, we would like to ensure that you are aware of the global movement working to minimize impacts from mining for all aspects of the renewable energy transition.

Over 180 organizations globally have advanced the [Declaration on Mining and the Energy Transition](#), the text of which is summarized in the paragraphs below. These groups represent mine worker unions, mining experts and frontline communities who are concerned about the impacts of extracting minerals, such as lithium, cobalt, nickel and copper for renewable energy technologies on communities, workers and ecosystems around the world.

Minerals demand for renewable energy technologies is projected to skyrocket, particularly for battery metals being used in electric vehicles - and the associated environmental and human impacts are likely to rise steeply as well. Metals mining is one of the world's dirtiest industries, responsible for at least 10% of anthropogenic greenhouse gas emissions. Mining is linked to environmental destruction, freshwater contamination and depletion, human rights abuses, forced displacement, loss of livelihood, violent conflict, unsafe working conditions, and illicit financial flows in many parts of the world. It increasingly poses threats to ocean health through the risky practice of mine waste dumping and deep-sea mining.

Dangerous mine waste storage and disposal have led to deaths and catastrophic destruction of downstream environments as well as the contamination of fragile marine ecosystems, fisheries

and coastal communities. Mining, including for battery minerals such as cobalt, lithium and nickel causes disproportionate harm to Indigenous peoples.

Our transition to renewable energy sources must be just and equitable and accompanied by a simultaneous transformation away from irresponsible mining by:

- Centering the human rights of Indigenous, frontline communities, and workers at mining, recycling, reclamation, manufacturing and renewable energy projects, by prioritizing the right to Free, Prior and Informed Consent, including the right to withhold consent as aligned with the UN Declaration on the Rights of Indigenous Peoples.
- Prioritizing low-impact circular economy solutions that reduce the overall demand for primary metals such as reuse, reduction, recycling, and design for disassembly while ensuring health and safety protections for workers and communities.
- Ensuring responsible minerals sourcing at existing mining operations through legally binding regulations to protect human rights, the environment and sacred sites at the state and international level; demanding mandatory human rights due diligence and adherence to all legal requirements; and stringent international environmental and human rights standards with independent, third-party verification of compliance, such as the Initiative for Responsible Mining Assurance.
- Continuing to implement transformative solutions that shift away from private transportation to more equitable access to services and low-carbon public transit.

A truly clean, just and equitable energy economy will avoid recreating the same systems it aims to destroy and help to build climate change solutions that put communities, workers and the environment first throughout the supply chain. We encourage the Air Resources Board to consider responsible mineral sourcing for the 2023-24 Funding Plan for Clean Transportation Incentives.

Thank you for your consideration,

Jennifer Krill  
Executive Director