

## ENVIRONMENTAL MANAGEMENT AND STEWARDSHIP



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# Luke Danielson



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Luke J. Danielson, currently President and Co-founder of the nonprofit Sustainable Development Strategies Group, is the 2015 inductee in Environmental Management and Stewardship. He is a lawyer, researcher and professor who has directed

substantial research programs in the fields of sustainable development and mining and minerals policy.

Colorado in the early 1980s saw most conflicts between natural resource developers and environmental groups fought out in the court room. Danielson believed alternative means of dispute resolution – mediation – would offer better results. Early in his career, he was able to test that thesis when 12 environmental and conservation groups opposed development of the Pitch uranium mine. He led a successful mediation process bringing bitterly opposed parties to the table and a winning outcome for all. The agreement was an important milestone for Colorado since historically few if any such settlements had been reached. The process brought great value to miners and the state and led to his appointment to the Mined Land Reclamation Board – Colorado's mine permitting agency.

The environmental failure – what many called 'a disaster' – at Summitville mine, a mine that was permitted prior to his tenure at the agency, was very damaging to the industry and was a wake-up call for the entire industry. Danielson led an independent investigation into the failures and co-led a multi-stakeholder dialogue process. The outcome was a legislative bill that was

supported by government, industry and a majority of the state's environmental groups; it passed the Colorado senate unanimously. The legislation allowed, even fostered, mining while ensuring a rigorous, yet fair, legal process for mine permitting. It became Colorado's mining code and a blueprint for mining laws in the US and other countries. It was the first step towards re-establishing trust in mining after a truly devastating environmental failure.

He soon became an important mining 'export' for the state of Colorado: the United Nations Development Program commissioned him to help China establish mine operating and closure regulations as well as other measures to improve the environmental performance of China's coal industry.

Danielson established a law school level environmental law program at the University of Chile Faculty of Law, aided in the development of Chile's national mining regulations and played a pivotal role, as an independent advisor to the President of the World Bank, in establishing what would later become the International Finance Corporation (IFC) Performance Standards. The Performance Standards define the minimum standards for environment protection and social consultation for all industries, including mining. The project also led to establishment of the Compliance Advisor/Ombudsman office within the World Bank; an entity to address Performance Standard non-compliance or grievances.

As the director of the Mining Minerals and Sustainable Development (MMSD) Project for the International Institute for Environment and Development (IIED) he managed the largest research project ever undertaken on the social, environmental, and economic influence of mining worldwide. The two year global program of research and public consultation produced

an actionable plan for “the mining industry to be seen as a positive contributor and partner in local development;” it became the original work plan upon which the International Council on Mining and Metals (ICMM) was founded.

In 2005 Danielson co-founded the Sustainable Development Strategies Group (SDSG), that helps developing countries to put together effective legal and policy frameworks for mining.

His other lasting contributions include establishing minerals and environmental management policies that provide mutual benefit to miners, host countries, and local communities. In practice this has included managing transparency in resource revenues (Kazakhstan), capacity building for communities impacted by mining (Guinea), and providing sustainable approaches (with the corresponding legal frameworks) to governments wishing to become mining host countries. He has helped to develop multi-stakeholder processes that led oil and gas companies, conservation organisations, and land management agencies to agree to a framework to protect wildlife and habitat in the Overthrust Belt in Wyoming, and to bring together timber developers, water users, recreational users, environmental groups and others on a timber management plan on the San Juan National Forest.

He has worked successfully in very different political and regulatory environments, from free market economies such as Chile to state centred economies in China and Cuba, and countries with strong movements of resource nationalism in Africa and Asia.

Danielson’s commitment to establishing mineral policy that promotes sustainable development and his active engagement in helping opposing parties find common ground, have been pervasive themes in his career. He doesn’t shy away from large, complex issues, rather he is at his best when tackling multifaceted – sometimes messy – issues that require logical approaches, abstract reasoning and creative solutions.

Danielson has played a leading role in many recent SDSG projects. In more detail they include work to support the efforts of the Mining Law Committee of the International Bar Association to develop a Model Mine Development Agreement, which can serve as a basis for more transparent and equitable negotiation of agreements between mining companies and host countries. The intention of the Mining Law Committee is to support agreements which are commercially attractive while promoting

sustainable development of host countries and communities. The MMDA website is [www.mmdaproject.org](http://www.mmdaproject.org)

In collaboration with a Guinean NGO, CECIDE, and Global Rights, SDSG conducted a three day capacity building workshop where community advocates and NGO leaders from seven West African countries shared experience and increased their understanding of international best practice in mineral development.

Ecuadorian mining legislation requires that the Ministry of Nonrenewable Natural Resources develop a model contract as the basis for mining agreements with foreign investors. SDSG has supported the Ministry’s work to develop the model contract by supplying perspectives from foreign law and experience.

Mr. Danielson and SDSG, at the request of the World Bank Group, prepared an analysis of certain mining agreements in Sierra Leone to compare these agreements both to current legislation and international best practice.