

# **LUKE J. DANIELSON**

## *Curriculum Vitae*

### **PRESIDENT and CO-FOUNDER SUSTAINABLE DEVELOPMENT STRATEGIES GROUP**

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Sustainable Development Strategies Group is a nonprofit organization recognized as tax exempt by the United States Internal Revenue Service under Section 501(c)(3) of the Internal Revenue Code. Its mission is to promote research, teaching and application of the principles of sustainable development in the field of natural resource development.

Its consultants have extensive experience in working with developing country governments on mineral policy issues.

### **Recent SDSG Projects**

Mr. Danielson has played a leading role in the following recent SDSG projects.

#### **Model Mining Development Agreement**

Sustainable Development Strategies Group has worked to support the efforts of the Mining Law Committee of the International Bar Association to develop a Model Mining 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)

#### **Guinea – Capacity Building for Communities Impacted by Mining**

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.

#### **Ecuador – Ministry of Non Renewable Natural Resources**

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.

### **Sierra Leone – Mining Contracts**

SDSG has 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.

### **Chile – Future Issues in the Mining Sector**

SDSG prepared an analysis of future issues affecting the mining sector in Chile for submission to GTZ, the German aid agency.

### **Kazakhstan – Transparency in Management of Resource Revenues**

Mr. Danielson made a lead presentation on the links between the Model Mining Development Agreement, EITI and the movement for greater transparency in the management of resource revenues in a conference sponsored by Soros Foundation – Kazakhstan and Revenue Watch.

### **Columbia University – Vale Center on Sustainable International Investment**

Mr. Danielson will discuss specific next steps toward the implementation of an integrated development approach for governments and companies at the Fifth Columbia International Investment Conference. <http://www.vcc.columbia.edu/content/fifth-columbia-international-investment-conference-extractive-industries-and-sustainable-dev>

### **Conference on Prosecution of Pillage of Natural Resources – The Hague**

SDSG is developing a position paper on the question of consent as a defence to war crimes prosecutions for pillage and looting of natural resources which Mr. Danielson will present at the Hague. <http://www.pillageconference.org/schedule/>

### **Sustainable Development of Natural Resources – Course Series**

SDSG has developed and taught a three course series at the University of Denver Sturm College of Law entitled Sustainable Development of Natural Resources. See <http://www.law.du.edu/index.php/SNRDS>

These three courses deal respectively with:

- (a) Community Expectations in Sustainable Development
- (b) National Legislation and Policies; and
- (c) The Emerging International Framework.

Each of these three courses is taught each year. Mr. Danielson is co-professor in each of them, together with SDSG Co-Founder Cecilia Dalupan and various distinguished co-teachers.

*Mr. Danielson's previous SDSG work includes a project on monitoring and management of abandoned mine sites for the government of Romania, a project on mine closure planning with the Ministry of Energy and Mining of Peru, and a paper on the history of the Mining, Minerals and Sustainable Development Project for the Global Public Policy Institute in Berlin, <http://www.globalpublicpolicy.net/>*

*Teaching includes teaching in the Executive MBA program of Simon Fraser University in Vancouver, and courses at Western State College on "Mining Land Management" and "Globalization and Global Institutions." Other activities also include:*

- *A presentation on the life cycle of molybdenum at the Crested Butte Public Policy Forum;*
- *Organizing and moderating the Second Annual Red Lady Forum: "Mining and Water: Past, Present and Future."*
- *Mentoring in the Action Canada Fellowship Program*

*My. Danielson is also engaged in the practice of law in Gunnison, Colorado, with emphasis on natural resources, public land and environmental law.*

### **International Institute for Environment and Development**

London, England

2000- 2002

[www.iied.org](http://www.iied.org)

Director, Mining Minerals and Sustainable Development Project, April 2000 – September 2002.

*Developed, organized and managed the largest research project ever undertaken on the social, environmental, and economic influence of mining worldwide. MMSD was a two year global program of research and public consultation designed to examine the role of the world minerals industries in sustainable development in advance of the Johannesburg summit. Responsibilities included establishment of project office and recruitment and hiring of all London staff; development of regional centers in Australia, South America, Southern Africa, North America and national programs in a number of countries; establishment of 24 member global Project Assurance Group which supervises the activities of the work team; development of research program and research contracting system; establishing global communications program; management of budget now approaching \$10 million; preparation and publication of final project report and many subsidiary publications See [www.iied.org/mmsd](http://www.iied.org/mmsd)*

### **International Development Research Centre**

Montevideo, Uruguay

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[www.idrc.ca](http://www.idrc.ca)

Director, Mining Policy Research Initiative, 1998-2000

*Established and organized a program of interdisciplinary research, research funding, and public dialogue on environmental, social, and economic development impacts of mining investment in the 23 nations of Latin America and the Caribbean, centered in Montevideo at the IDRC regional office for Latin America and the Caribbean. The program emphasizes development of partnerships with research institutions within the region. Responsibilities included defining principal policy areas of concern, development of program objectives and policies, developing network of partnerships with various regional organizations, establishing and recruiting advisory council, fund raising, staff recruitment, and management of budget.*

**University of Chile, Faculty of Law**

Santiago, Chile

[www.derecho.uchile.cl](http://www.derecho.uchile.cl)

Visiting Professor – 1996-1998

*Mr. Danielson moved to Chile as a Fulbright Fellow to assist in developing the program in environmental law at one of Chile's leading law schools. Responsibilities included curriculum development, development of course materials, teaching courses at undergraduate, masters, and Ph.D. levels, acting as thesis advisor to masters and doctoral candidates, research and publication. Organized the First International Congress of Environmental Law at the University of Chile in January 1998, and supervised the publication of proceedings as *Derecho del Medio Ambiente, Congreso Internacional*, (I.S.B.N. 956-238-175-7). Classes included survey of Chilean domestic, comparative, and international environmental law, *The Law of Environmental Impact Assessment*, and the doctoral level course on *Environmental Law and the Mining Industry*. Also conducted several independent consulting and study processes as described below.*

**Pendleton, Friedberg, Wilson, & Hennessey, P.C.**

Denver, Colorado

[www.penberg.com](http://www.penberg.com)

Of Counsel – 1996-1998

*While teaching at the University of Chile continued some practice of law as Of Counsel to this U.S. law firm.*

**Gersh & Danielson, Attorneys at Law**

Boulder and Denver, Colorado

Partner – 1985-1996

*Co-founder and one of two principal partners of this Colorado law firm. Practice concentrated in energy, environmental and natural resources law and litigation. Successfully handled litigation in areas as diverse as National Forest policy, protection*

*of national parks, wetland management, radiation control, toxic torts, wildlife and land use law.*

**Danielson & Euser, Attorneys at Law**

(Predecessor to Gersh & Danielson), Denver, Colorado  
Partner – 1982-1985

**National Wildlife Federation**

University of Colorado School of Law, Boulder  
Counsel/Assistant Professor – 1979-1981

**Solar Energy Research Institute, Golden, Colorado**

Editor in Chief, *Solar Law Reporter* – 1978-1979

**Holland & Hart, Attorneys at Law, Denver Colorado**

Associate – 1975-1978

**Colorado Rural Legal Services/Colorado Migrant Council**

Investigator – 1972

## **EDUCATION**

**University of California School of Law (Boalt Hall), J.D. 1975**

Managing Editor, *Ecology Law Quarterly*

**Antioch College (Economics), B.A. 1971**

Member, College Budget Council

**Universidad Autonoma del Estado de Mexico, Certificate 1965**

Toluca, Mexico

**Boulder High School, 1966**

Boulder, Colorado

## **SPECIAL PROJECTS**

**Global Public Policy Institute**

Berlin, 2006

Paper and workshop on public dialogue in the mining sector'; history of the MMSD project

**Ministry of Energy and Mining**

Lima Peru, 2005

Consulted with Ministry on development of rules and administrative framework for mine closure planning and abandoned mines programs

**First Red Lady Forum: Mining and Water: Past, Present and Future**

Crested Butte, Colorado 2005

Organizer and moderator of mining policy forum

**APEC (Asia Pacific Economic Cooperation)**

Antofagasta, Chile, 2005

Keynote speaker at first meeting of APEC Mines Ministers

**MEMS (Mineral Economics and Management Society)**

Washington, DC, 2004

Keynote speaker at MEMS annual meeting

**TNK BP**

Moscow, 2004

Presentation to senior management on issues of sustainable development and functioning and application of the Equator Principles

**Duke Energy**

Charlotte, NC 2003

Corporate briefings on sustainable development issues

**World Bank Group**

Jakarta, Indonesia 2002-3

Consultant to Dr. Emil Salim, in charge of World Bank Extractive Industries Review

**CITMA, Ministry of Science Technology and Environment**

Havana, Cuba 1998-99

Led workshops that developed Cuban environmental legislation

**Instituto Bartolomé de las Casas**

Cusco, Peru – 1999

Course on Natural Resource Development

**Ministry of Mining of the Republic of Chile**

Santiago, Chile – 1996-1998

- Advising Ministry on development of national system of mine closure and reclamation legislation
- Among principal authors of comparative study undertaken for the Ministry of mine closure and reclamation legislation in approximately ten jurisdictions in Latin America and other countries
- Consulting on legal and environmental policy aspects of water scarcity in desert regions of northern Chile

**CONAMA**, Chilean national environment agency  
Santiago, Chile – 1996-1998

- Advised agency on development of regulations for implementation of system of environmental impact assessment.

**Petrobras**, Brazilian oil company  
Sao Paulo, Brazil; Santa Cruz, Bolivia  
Gasbol Project -- 1997

One of three leaders of independent review of environmental impact studies and environmental management system for Gasbol, the Bolivia-Brazil gas pipeline project, undertaken at behest of the Interamerican Development Bank

**Member of Independent Audit Team, World Bank**  
Pangue Project -- 1996-1997

Served as one of three members of external review team established by President Wolfensohn of the World Bank to perform the first independent audit ever undertaken of the environmental and social performance of the International Finance Corporation, the private lending arm of the World Bank. The case audited was the Pangue hydroelectric project in Chile.

**Bureau of Legislative Affairs, State Council, Peoples' Republic of China**  
Beijing -- 1994-1996

Worked in both China and the United States with team of Chinese government experts to develop comprehensive legislation for control of environmental problems in coal mining regions

**Colorado Department of Natural Resources**  
Denver – 1992 - 1993

For Colorado Department of Natural Resources, conducted independent investigation of causes of failure of environmental control at the Summitville Mine. See Danielson and McNamara, *The Summitville Mine: What Went Wrong?* (Colorado Department of Natural Resources 1993). Also Danielson et al., *The Summitville Story: A Superfund Site is Born*, 24 ELR 10388 (July 1994). This work led to a stakeholder dialogue which developed remedial legislation supported by all of the principal minerals industry organizations and all of the principal mining-related environmental organizations in Colorado.

## **TEACHING**

Current courses at the University of Denver and Western State College are described above

### **Simon Fraser University, Executive MBA Program**

Sustainable Development in the Mining Industry  
(2006 --- )

### **Western State College**

Globalization and Global Institutions  
(2006-)

### **University of Chile, Faculty of Law**

Environmental Law  
Environmental Impact Assessment and Other Instruments of Environmental  
Management  
Environmental Issues in the Mining Industry - 1996 to 1998

### **University of Colorado, School of Law**

International Mineral Development - 1994  
Public Land Law - 1984  
Natural Resource Litigation & Energy Law - 1979 to 1982

### **University of Denver, University College**

Natural Resources Management - 1994 & 1995

### **University of Denver, College of Law**

Pretrial procedure - 1987  
Energy Law - 1985  
Civil Procedure - 1978

## **BOARDS, COMMITTEES AND POSITIONS**

### **Mining and Metallurgical Society of America**

Member, 2009 –

### **Lowell Institute for Mineral Resources, University of Arizona**

Member, Board of Directors, 2009-

### **Industry Advisory Committee**

Department of Mining Engineering  
Colorado School of Mines

2011-

**Caterpillar, Inc.**

Member Sustainability Advisory Committee

2007-

**INMET**

Member

Independent Stakeholder Advisory Committee

2009 -

**International Mining Professionals Society**

Chair, Codes Committee, 1996-1999

**American Bar Association, Section of Natural Resources, Energy & Environmental Law,**

International Resources Committee

Vice Chair – 1994-1997

**Colorado Mine Water Quality Task Force**

Co-Chair, 1995-1996

**Rocky Mountain Low-Level Radioactive Waste Board**

Multistate compact for radioactive waste disposal

Prosecutor – 1993-1996

**Mined Land Reclamation Board**, Department of Natural Resources, State of Colorado, government agency in charge of mine reclamation and environmental protection of mined lands.

Member – 1987-1996

Chair – 1989, 1991 & 1994

**American Solar Energy Society**; scientific, professional and trade association

Counsel – 1983-1996

**National Wildlife Federation Action, Inc.;**

Non-profit conservation political education foundation.

Vice-Chair of the Board of Directors –1992-1996

**Colorado Bar Association**

Member, Board of Governors – 1992-1994

**University Corporation for Atmospheric Research Foundation;**

Non-profit foundation engaged in commercialisation of technical and scientific concepts developed at the National Center for Atmospheric Research.

Counsel – 1987-1989

**EcoCycle, Inc.;**

Non-profit community recycling program.

Member, Board of Directors – 1983-1986

Chair, Board of Directors – 1985-1986

*1986 Recycling Volunteer of the Year*

**Colorado Conservation Foundation**

Director – 1985-1994

**Wyoming Wildlife Federation**

Life member

**OTHER**

Member Colorado Bar

Member of the Bars of the United States Supreme Court, United States Court of Appeals for the Tenth Circuit

Fluent written and spoken English and Spanish

Limited reading knowledge of Portuguese

*Publications list available on request.*