

Acknowledgements

The *Guidebook for Evaluating Mining Project EIAs* reflects many years of experience evaluating the environmental impact assessments (EIAs) for proposed mining projects around the world. The Guidebook was produced by a team of experts at the Environmental Law Alliance Worldwide (ELAW), in collaboration with an international review committee. Many thanks to: Dr. Glenn Miller, ELAW Board Chair and Director of the Graduate Program in Environmental Sciences and Health at the University of Nevada at Reno; Isabela Figueroa, Attorney; Dr. Ann Maest, Managing Scientist, Stratus Consulting; Maria Paz Luna, Legal Consultant, Pusod Pilipinas; Dr. Mark Chernaik, ELAW Staff Scientist; Graciela M. Mercedes Lu, ELAW Environmental Research Scientist; Jennifer Gleason, ELAW Staff Attorney; Liz Mitchell, ELAW Staff Attorney; Lauren Ice, ELAW Office Manager; Maggie Keenan, ELAW Communications Director; Rita Radostitz, ELAW Outreach Director; Josh Vincent, graphic designer; and Eliana Villar Marquez, translator.

The Environmental Law Alliance Worldwide gives public interest lawyers and scientists, and the communities they work with around the world, skills and resources to protect the environment through law. These advocates, working in their home countries, know best how to protect the global environment. By giving grassroots advocates the tools and resources they need, ELAW helps protect the air, soil, water, and ecosystems, and builds a worldwide corps of skilled, committed advocates working to protect ecosystems and public health for generations to come. The key to our strategy at ELAW is locating strong advocates who are committed to protecting communities and biodiversity in their home countries. By collaborating with these advocates and providing legal and scientific tools, we achieve substantial impact around the globe at low cost.

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Introduction

Most countries require an environmental impact assessment (EIA) before giving the green light to a mining project. EIA processes provide a valuable opportunity for citizens to participate in decisions about mines. The problem is, project proponents often submit long, complex EIA documents that are incomprehensible to lay people.

The *Guidebook for Evaluating Mining Project EIAs* will help public interest lawyers, grassroots advocates, and community members understand mining EIAs, identify flaws in mining project plans, and explore ways that mining companies can reduce the public health hazards associated with mining.

CHAPTER 1, *Overview of Mining and its Impacts*, provides an overview of large-scale metal mining practices and how these practices can harm the environment and public health.

CHAPTER 2, *Overview of the EIA Process*, describes the various stages of the EIA process and identifies opportunities for influencing decisions about proposed mining projects.

CHAPTER 3, *Reviewing a Typical EIA for a Mining Project*, focuses on EIA documents and how to critically assess different sections of an EIA.

SECTION 3.1 provides guidance on what constitutes an adequate Executive Summary.

SECTION 3.2 provides guidance on what constitutes an adequate Project Description, including project alternatives.

SECTION 3.3 examines what should be included in the Environmental Baseline, including discussion of tests for predicting the acid-generating and contaminant-leaching potential of mined materials and the information necessary

for adequate characterization of existing water and air quality, wildlife, and socio-economic characteristics of project areas.

SECTION 3.4 provides guidance on evaluating environmental impacts, including what constitutes an adequate assessment of impacts to water and air quality, wildlife, society, and public safety.

SECTION 3.5 looks at the Environmental Management Plan and what constitutes adequate mitigation measures and contingency plans.

SECTION 3.6 focuses on the Environmental Monitoring Plan and what constitutes an adequate plan for monitoring the impact of a proposed project on communities and the environment.

SECTION 3.7 looks at the Reclamation and Closure Plan, providing guidance on adequate plans for specific mine facilities (waste rock dumps, open pits, tailings dams, and leach facilities) and how to determine whether adequate funds are set aside to implement the Reclamation and Closure Plan.

CHAPTER 4, *How to be an Effective Participant in the EIA Process*, provides practical advice about how public interest lawyers and advocates can foster effective participation in the EIA process. This chapter will help readers understand the regulatory framework that applies to the EIA process, including: gaining full access to EIA documents and related information; commenting effectively during different stages of the EIA process; challenging adverse decisions; and enforcing promises made in the EIA and related documents.

The Guidebook includes references, a glossary, and an EIA Review Checklist.