

No Net Loss for People & Biodiversity: Check List

This check list is for NEMA staff reviewing ESIA's of development projects seeking No Net Loss of biodiversity. It regards the social aspects of No Net Loss and is based on international good practice. Its purpose is to help assess whether No Net Loss followed good practice for local people and to provide an auditable record of quality assurance.

Project:	Date:	Reviewer:
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Check list 1. Assessing types of impacts on people from No Net Loss

People can be affected by losses and gains in biodiversity from a development project. For example people at the development site can lose access to resources that they depend on for subsistence such as firewood and medicinal herbs. People at a biodiversity offset site can benefit, e.g. from woodland creation, or can suffer e.g. when local use of natural resources is prohibited. The ESIA report should clearly describe the types of impacts on people from NNL, so that the mitigation hierarchy can be applied to both biodiversity and to people.

Impact assessment	Yes / No	Your Notes
Level of impact assessment What level has the impact assessment been undertaken, e.g. by village, interest group, gender etc? <hr/> Is this level appropriate to identify all significant impacts on people from NNL?		
Location Does the impact assessment cover people at both the development site and at the biodiversity offset site?		
Participation Did stakeholders participate in the impact assessment, especially local people affected by NNL? <hr/> Was the participation sufficient and inclusive e.g. with the poor, vulnerable and marginalised and not just with village leaders?		
Who Does the ESIA report describe who is affected from NNL e.g. by village, interest group, gender etc? <hr/> Have all people affected by NNL been identified e.g. people directly affected and those indirectly affected?		
How Does the ESIA report clearly identify how people are potentially affected from NNL?		
Duration Does the ESIA report describe the duration of the impacts e.g. temporary or permanent?		
Limitations Have limitations to the impact assessment been fully described, as well as efforts to overcome these? <hr/> Given the limitations, is the assessment sufficient for an ESIA?		

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Check list 2. Assessing wellbeing

When impacts on people from NNL have been assessed, it is good practice to evaluate how these impacts affect people's wellbeing. The ESIA report should describe people's wellbeing before the development (i.e. the baseline) and then how their wellbeing changes as a result of NNL. In practice wellbeing assessments are part of the impact assessment, so this Check List is to be used with Check List 1. Note: currently ESIA's involve components of a wellbeing assessment, although wellbeing assessments in their entirety are not yet mainstream. While this is in progress, individual components of wellbeing should be assessed.

Wellbeing assessment		Yes / No	Your Notes
Participation	Did stakeholders participate in the wellbeing assessment, especially local people affected by NNL?		
	Was participation sufficient and inclusive e.g. with the poor, vulnerable and marginalised and not just with village leaders		
Social specialist	Has the wellbeing assessment been undertaken by a suitably trained and experienced social specialist?		
Baseline: before development	Does the ESIA report clearly establish people's wellbeing before the development?		
After development and NNL	Does the ESIA report sufficiently assess how people's wellbeing changes as a result of NNL?		
Location	Does the wellbeing assessment cover people at both the development site and the biodiversity offset site?		
Material: what people have	Have the material components of people's wellbeing associated with biodiversity been sufficiently assessed?		
Relational: what people can do with what they have	Have the relational components of people's wellbeing associated with biodiversity been sufficiently assessed?		
Subjective: how people feel about what they have & what they can do	Have the subjective components of people's wellbeing associated with biodiversity been sufficiently assessed?		

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Check list 3. Applying the mitigation hierarchy

The ESIA report should identify any unacceptable impacts on people from NNL. These impacts should be completely avoided. It is not possible to compensate these impacts for NNL to be equitable or sustainable. The ESIA report should also describe measures to avoid all impacts on people from NNL. Only after all possible avoidance measures are undertaken, then minimising and lastly compensating impacts should be described for people at both the development and biodiversity offset sites.

Mitigation hierarchy	Yes / No	Your Notes
<p>Unacceptable impacts</p> <p>Does the ESIA report clearly describe any impacts from NNL that local people themselves consider unacceptable:</p> <ul style="list-style-type: none"> • At the development site • At the biodiversity offset site 		
<p>Have all possible measures been undertaken to avoid unacceptable impacts?</p>		
<p>Does the ESIA report clarify that unacceptable impacts on people from NNL cannot be compensated to achieve equitable or sustainable outcomes?</p>		
<p>Avoidance</p> <p>Have all possible measures to avoid all impacts on people from NNL been identified:</p> <ul style="list-style-type: none"> • At the development site • At the biodiversity offset site 		
<p>Are there other avoidance measures that the ESIA report should describe?</p>		
<p>Minimisation</p> <p>Have all possible measures to minimise impacts on people from NNL been identified:</p> <ul style="list-style-type: none"> • At the development site • At the biodiversity offset site 		
<p>Are there other minimisation measures the ESIA report should describe?</p>		
<p>Compensation</p> <p>Are compensation measures sufficiently justified as being a last resort after avoidance and minimisation?</p>		
<p>Have all possible measures to compensate people affected by NNL been identified:</p> <ul style="list-style-type: none"> • At the development site • At the biodiversity offset site 		
<p>Are there other compensation measures the ESIA report should describe?</p>		

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Check list 4. Designing No Net Loss with good practice for people

The ESIA report should clearly state the desired outcome for people as a result of NNL. Good practice is that people's wellbeing is at least as good as a result of the development project and NNL, than it was before. The ESIA report should describe how this outcome will be achieved. In practice this is integral to applying the mitigation hierarchy, so this Check List is to be used with Check List 3.

Designing NNL for people		Yes / No	Your Notes
Outcomes for people	Does the ESIA report clearly state the desired outcome for people as a result of NNL?		
	Does this outcome align with good practice where people's wellbeing is at least as good as a result of the development project and NNL?		
Participation	Did stakeholders (especially local people affected by NNL) participate in the design of NNL for people?		
	Was this participation inclusive and sufficient e.g. with the poor, vulnerable and marginalised, not just village leaders?		
Who	Are people affected by NNL the same people who receive compensation: <ul style="list-style-type: none"> • At the development site • At the biodiversity offset site 		
What	Do people affected by NNL receive commensurable compensation for the impacts they endure: <ul style="list-style-type: none"> • At the development site • At the biodiversity offset site 		
Additionality	Does the compensation demonstrably exceed existing obligations?		
When	Is the compensation issued so there is <u>no</u> time-lag when people incur impacts but have not yet received any compensation?		
	Does the compensation last at least as long as the impacts endure?		
Feasibility tested	Has the feasibility of the compensation been sufficiently tested?		
	Did this testing involve all relevant stakeholders, including people affected by NNL?		
Management plan	Is there an adequate and appropriate Social Management Plan for NNL?		
Monitoring	Is there a participatory programme to monitor the social outcomes from NNL?		
	Does the social monitoring feed into an adaptive management regime?		
Validation	Are the social outcomes from NNL to be validated by a suitably qualified expert and/or independent third party?		

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