

16 Richmond Road,
Caversham
Preliminary Ecological
Appraisal

Prepared for STL Architects

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1 INTRODUCTION

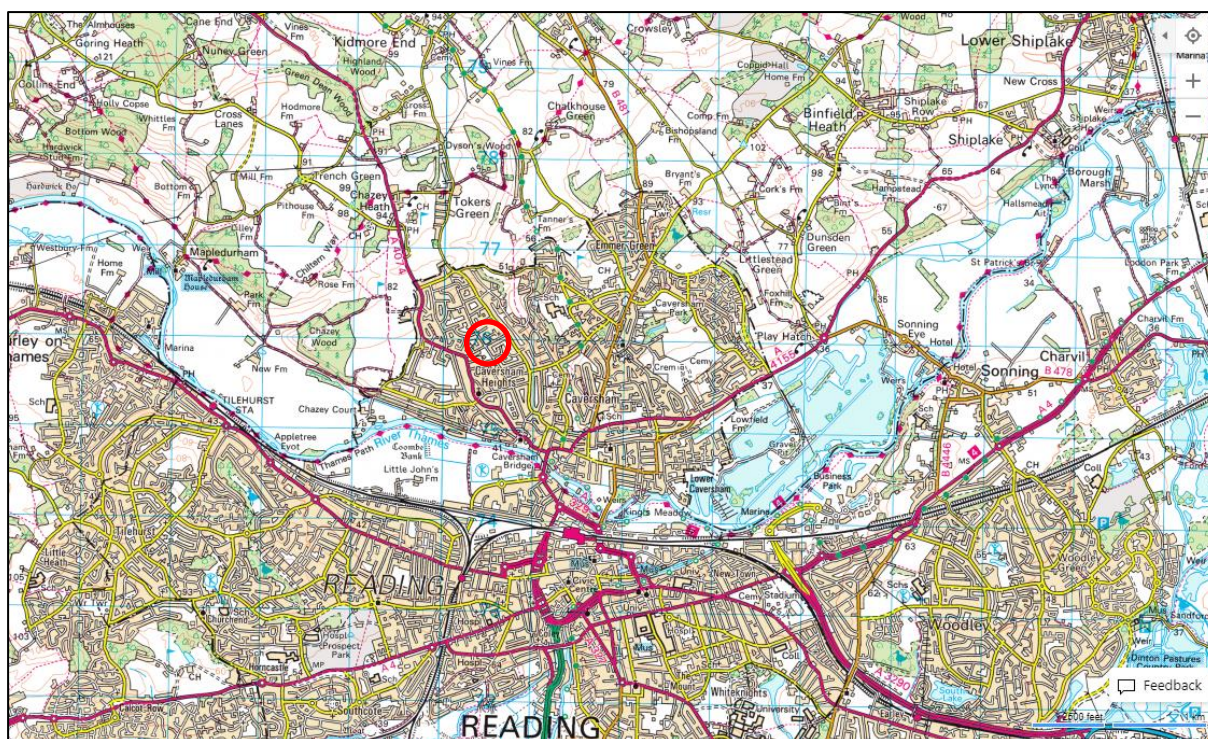
1.1 Purpose of Report

This Ecological Appraisal has been completed in connection with the proposed development at 16 Richmond Road, Caversham, Berkshire (OS Grid Reference SU 7055 7594). The location of the proposed development site is shown in *Figures 1 and 2* and the proposed development plans are fully detailed in *Section 4*.

An initial site survey was carried out on 30th July 2020 by Turnstone Ecology Ltd and consisted of a Phase 1 Habitat Survey, protected species habitat suitability assessment and a Preliminary Roost Assessment (PRA) survey.

This report details survey and assessment methodology and the results of a desk-based study and on-site surveys. It also provides an assessment of potential ecological impacts and appropriate mitigation to offset any ecological impacts associated with the proposal and to satisfy national and local planning policies.

Figure 1. Location of proposed development



1.2 Ecological Context

The proposed development site is located at 16 Richmond Road, Caversham, nr Reading, Berkshire. The site consists of a residential building and associated garden. The site is bordered by Richmond

Road to the north and residential buildings and associated gardens to the east, south and west. The garden at the rear of the house comprises outgrown lawn, ornamental shrubs and trees and is bordered by close board fencing and dense hedgerows.

Figure 2. Overview of the proposed development site and surrounding area



The wider area around the site includes the town of Caversham, with residential properties and gardens dominating the landscape. There are a number of features of interest including parks, farmland, a golf course and the River Thames within 1 km of the site.

2 METHODS

2.1 Desk-based Study

Information relating to designated sites, sites where European Protected Species (EPS) Licences have been granted between 2009 and 2018 and historic records of protected species within 2 km of the proposed development site were updated for this report and obtained from Magic (www.magic.gov.uk) and other freely available information on the internet, such as planning portals.

Any species-specific historic records are detailed within the relevant species accounts in the *Results* section.

2.2 Phase 1 Habitat Survey

The survey methods were based on the Phase 1 Habitat Survey approach (Joint Nature Conservation Committee 2010), which is a standardised method to survey main habitat types. Plant nomenclature in this report follows Rose (*Revised Edition 2006*) for native, naturalised and garden varieties of vascular plant. Introduced species and garden varieties are not always identified.

2.3 Protected Fauna Survey and Assessment

The habitats on site were assessed for suitability for protected fauna that occur in the region and obvious signs and incidental sightings of protected species were noted where present. Taking into consideration the geographical region and habitat types on and adjacent to site, the protected species and species groups that could be encountered are listed below.

- Badger
- bat species
- nesting birds
- reptile species

Details of initial survey methods for each relevant species are given below.

2.3.1 Badger

Where access allowed a comprehensive assessment was carried out to identify areas that are used by Badgers (*Meles meles*) for foraging and sett digging. Signs of Badgers including setts, foraging signs, paths and latrines, were recorded where present.

2.3.2 Bats

Habitats within and immediately adjacent to site were assessed for their suitability for use by foraging or commuting bats. Areas of particular interest vary between species, but generally include sheltered

areas and those habitats with good numbers of insects, such as woodland, scrub, hedges, watercourses, ponds, lakes and more species-rich or rough grassland.

Preliminary Roost Assessment

A detailed inspection was made of the exterior and interior of the house for any evidence of bat use, such as live or dead bats, droppings, scratch marks, staining and prey remains, and in some cases the absence of cobwebs. Large quantities of cobwebs in roof voids or at access points tend to be suggestive of no bat use, although this evidence is not conclusive. The trees in the garden were also inspected for features suitable for use by roosting bats.

Buildings and trees are categorised according to their suitability for roosting bats as follows (taken from Bat Survey Guidelines, 3rd Edition)¹:

Negligible – Habitat features on site with very low suitability to be used by roosting bats.

Low – A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (*i.e.* unlikely to be suitable for maternity or hibernation).

Moderate – A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only).

High – A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. They could be suitable for maternity roosts or hibernation sites.

Confirmed – Roosting bats confirmed as being present, either by the discovery of live or dead bats, droppings, prey remains, scratching or fur-staining.

2.3.3 Nesting birds

Habitat that might be used by nesting birds was identified and actively nesting birds or evidence of nesting birds noted where present.

Different bird species use buildings, trees and shrubs, undergrowth or even open fields for nesting and suitability of the site for use by a range of nesting bird species was considered.

¹ Bat Conservation Trust (2016). *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition)*. Bat Conservation Trust, London.

2.3.4 Reptiles

The site was assessed for suitability for use by widespread species of reptiles, with particular attention paid to those features that could be used as basking areas (*e.g.* south-facing slopes), hibernation sites (*e.g.* banks, walls, piles of hardcore) and opportunities for foraging (*e.g.* rough grassland and scrub). The site was assessed for its suitability for the commoner reptile species which have broadly similar habitat requirements, but more specific requirements include those shown below (Beebee & Griffiths 2000).

- Common Lizards (*Zootoca vivipara*) use a variety of habitats from woodland glades to walls and pastures, although one habitat they use is brownfield sites;
- Slow-worms (*Anguis fragilis*) use similar habitats to Common Lizards, and are often found in rank grassland, gardens and derelict land;
- Grass Snakes (*Natrix natrix*) have broadly similar requirements to Common Lizards but with a greater reliance on ponds and wetlands, where they prey on amphibians;
- Adder (*Vipera berus*) use a range of fairly open habitats with some cover but are most often found in dry heath.

2.4 Constraints

Late July is a suitable time to be undertaking Phase 1 surveys and the entire site and surrounding area was accessible during the survey. As such there are no constraints to the survey.

2.5 Criteria for Assessment

The scientific value of habitats for nature conservation is assessed according to widely accepted criteria of which the most important are naturalness, extent, rarity, and diversity.

The assessment of impacts is based on the principles within Chartered Institute of Ecology and Environmental Management (CIEEM) Environmental Impact Assessment (EIA) Guidance (2018) which assesses the impacts of the proposal on ecological receptors taking into consideration extent, duration, reversibility, timing, frequency and certainty.

Mitigation and enhancement are designed to reduce the level of impact upon receptors and provide ecological enhancement in order to meet current legislation and planning policy. The information below has therefore been considered during assessment.

- Criteria that have been developed to assist in the identification of statutory Sites of Special Scientific Interest (SSSIs) (JNCC 2013)
- Habitats and species of Principal Importance included under Section 41 (England) and Section 42 (Wales) of the Natural Environment and Rural Communities (NERC) Act 2006
- The legal status of habitats and species according to the EU 'Habitats' Directive 1992

- CIEEM Guidelines (2018) for assessing the value of ecological receptors within a defined geographical context using the following categories: international (*i.e.* Europe); UK and national (England); regional; county; Unitary Authority; local or parish; and zone of influence. Receptors are identified as ‘important’ at these levels, or as ‘not important’
- Species protected by European directives
- Species protected by the *Wildlife and Countryside Act 1981* (as amended)
- Other species listed as scarce or notable in literature issued by conservation organisations or learned societies *e.g.* vascular plant species listed in Stewart *et al.* (1994) and Red and Amber List Birds of Conservation Concern (Eaton *et al.* 2015)
- Local Wildlife Site selection criteria
- National Policy Planning Framework (NPPF), 2019
- BS42020:2013 – Biodiversity Code of practice for planning and development
- Protected species handbooks and best practice guidelines
- The Reading Biodiversity Action Plan (BAP) has currently expired and is in the process of being rewritten and approved. In 2020 this is expected to move away from being habitat and species focussed to being focussed on “Themes for Action”. These “themes” include; Legislation; Designated Sites; Planning and Building Control; Woodlands, Trees & Hedgerows; Grassland and Road Verges; The Two Rivers, their floodplains and other watercourses.

3 RESULTS

3.1 Desk Study

3.1.1 Statutory Designated Sites

There are no designated sites within 2 km of the development.

3.1.2 European Protected Species Licence Sites

11 Natural England EPS mitigation licence have been granted for development sites within 2 km of the proposed development between 2009 and 2018:

- EPSM2012-4292 was granted in 2012 for a site approximately 2 km to the north of the proposed site for the destruction of roosts (resting places) of Common Pipistrelle (*Pipistrellus pipistrellus*), Soprano Pipistrelle (*Pipistrellus pygmaeus*) and Brown Long-eared Bats (*Plecotus auritus*)
- EPSM2013-6025 was granted in 2013 for a site approximately 1.4 km to the north east of the proposed site for the damage and destruction of a roost (resting place) of Brown Long-eared bats.
- EPSM2011-3175 was granted in 2011 for a site approximately 1.5 km to the north of the proposed site for the destruction of a roost (resting place) of Common Pipistrelles.
- 2014-1343-EPS-BDX was granted in 2014 for a site approximate 1.3 km to the south east of the proposed site for the damage and destruction of roosts (resting places) of Soprano Pipistrelle.
- 2016-27061-EPS-MIT was granted in 2017 for a site approximately 870 m to the south of the proposed site for the destruction of roosts of Common Pipistrelle and Brown Long-eared Bats.
- 2014-2980-EPS-MIT was granted in 2014 for a site approximately 750 m south west of the proposed site for the destruction of roosts of Common Pipistrelle and Soprano Pipistrelle.
- 2015-13539-EPS-MIT was granted in 2015 for a site approximately 1 km south of the proposed site for the and destruction of roosts (resting places) of Common Pipistrelle.
- 2017-29064-EPS-MIT was granted in 2017 for a site approximately 940 m south west of the proposed site for the damage and destruction of breeding and resting places of Soprano Pipistrelles.
- 2015-14137-EPS-MIT was granted in 2015 for a site approximately 1.3 km south west of the proposed site for the damage and destruction of resting places of Common and Soprano Pipistrelles.
- 2014-3600-EPS-MIT was granted in 2014 for a site approximately 850 m west of the proposed site for the damage and destruction of resting places of Common Pipistrelles.
- 2015-18560-EPS-MIT was granted in 2016 for a site approximately 900 m west of the proposed site for the damage and destruction of resting places of Soprano Pipistrelles and Brown Long-eared Bats.

3.2 Ecological Surveys

Phase 1 habitat types that were recorded within and immediately adjacent to the proposed development sites are listed below.

- Building
- Amenity Grassland
- Trees, Shrubs and Hedgerows

The site or immediately adjacent areas contain habitat suitable for the protected species listed below.

- Badger
- Bats
- Nesting Birds
- Reptiles

3.3 Phase 1 Habitat Survey

The site comprises a currently unoccupied residential dwelling and associated front and rear gardens. The gardens comprise primarily ornamental shrubs and outgrown lawn. There are also several mature trees around the site.

3.3.1 Building

The site is dominated by the single storey house and connected garage. The site slopes front to back and as such the rear of the property is much lower than the front garden and entrance. Internally the building is split into the main dwelling and a separate annex which can be accessed separately via an entrance at the north of the site. Paved pathways lead around the building and there are two separate driveways to the front of the property. Exterior and interior pictures can be seen below in *Plates 3 - 8*. The building and associated hardstanding of the paths and driveway is of no botanical value.

3.3.2 Amenity Grassland

To the rear of the property is an outgrown lawn which comprises common grass species such as Perennial Ryegrass (*Lolium perenne*), Annual Meadowgrass (*Poa annua*), Crested Dog's-tail (*Cynosurus cristatus*), Creeping Bent (*Agrostis stolonifera*), Common Bent (*Agrostis capillaris*) and Timothy (*Phleum pratense*). In addition, other species common in amenity grassland are present including Common Ragwort (*Jacobaea vulgaris*), Common Nettle (*Urtica dioica*), Bramble (*Rubus fruticosus*), Pine saplings (*Pinus* sp.), Dandelion (*Taraxacum* sp.), Smooth Hawksbeard (*Crepis capillaris*), Wood Forget-me-not (*Myosotis sylvatica*), Garlic Mustard (*Alliaria petiolata*), Herb Robert (*Geranium robertianum*), Green Alkanet (*Pentaglottis sempervirens*), Mosses, Field Maple saplings (*Acer campestre*), Narrow-leaved Dock (*Rumex acetosa*), Primrose (*Primula vulgaris*), Lupin (*Lupinus* sp.), Pyracantha (*Pyracantha* sp.), Thistles (*Cirsium* sp.), Cotoneaster (*Cotoneaster* sp.), Yarrow (*Achillea millefolium*), Ox-eye Daisy (*Leucanthemum vulgare*). *Plate 1* shows the current condition of site.

Plate 1. Showing Amenity Grassland at the centre of site



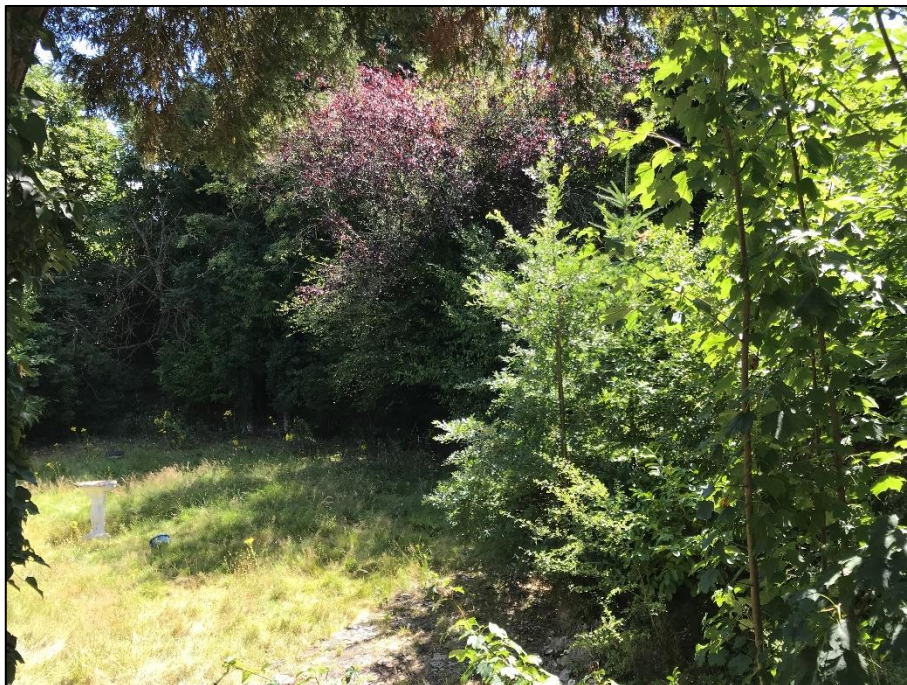
3.3.3 Trees, Shrubs and Hedgerows

Around the perimeter of the lawn are multiple trees and ornamental shrubs. A variety of tree species were present, including Holly (*Ilex aquifolium*), Laurel (*Laurus nobilis*), Hawthorn (*Crataegus monogyna*), European Plum (*Prunus domestica*), Yew (*Taxus baccata*), Oak (*Quercus robur*), Sycamore (*Acer pseudoplatanus*), Hazel (*Corylus avellana*), Cherry (*Prunus sp.*) and Lime (*Tilia x europea*), and these are generally mature in age. There were also a variety of other scrub plants amongst the hedgerow including Ivy (*Hedera helix*), Bramble, Ferns, Common Ragwort, Aaron's beard (*Hypericum calycinum*) and Ground Elder (*Aegopodium podagraria*). Many ornamental shrub varieties are also present, with European Turkey Oak (*Quercus cerris*), Holly-leaved Berberry (*Mahonia aquifolium*), an Elm (*Ulmus sp.*), Leylandii (*Cupressus x leylandii*), Cotoneaster, Periwinkle (*Vinca minor*) and Crocosmia (*Crocosmia sp.*) in the rear garden and Box (*Buxus sp.*), Rose (*Rosa sp.*), Leylandii, Walnut (*Juglans regia*), Flax (*Linum usitatissimum*), Grape Hyacinth (*Muscari sp.*), Lilac (*Syringa sp.*), Bearsfoot (*Helleborus foetidus*), Pyracantha, Virburnum (*Virburnum tinus*), Green Alkanet and Yellow Toadflax (*Linaria vulgaris*) present in both the front and rear gardens.

Plate 2. Trees and Shrubs around the site



Plate 3. Trees and Shrubs around the site



3.4 Protected Fauna

3.4.1 Badger

No evidence of Badger was identified during the survey and the site, being situated between several other residential properties and gardens contains limited habitat suitable for Badgers to forage and sett build.

3.4.2 Bats

Preliminary Roost Appraisal

There are records of Brown Long-eared and Common Pipistrelle and Soprano Pipistrelle within 2 km of the proposed development site with 11 EPS Licences having been granted for works relating to these species between 2009 and 2018. Work at these sites included damage/destruction of roosts of individual bats as well as one breeding roost.

The garden offers suitable potential habitats for foraging bats, with trees and hedgerows likely to be used by feeding and commuting bats during the active season.

House

16 Richmond Road (*Plate 3*) is a single storey property with a pitched and hipped roof. The building was formerly flat roofed with the pitched/hipped roof since added on top of this. There is a double garage at the southern end of the building and internally the house is split into the main dwelling and a separate annex to the north.

The roof of the building has a shallow pitch which is covered with concrete interconnecting tiles which are tightly fitting across the entire roof (*Plate 4*). The exterior walls are rendered and painted white and with the exception of a narrow exterior crack on the northern end of the building (*Plate 5*), no points of interest were noted. To the rear of the property is a retaining wall with steps leading down from the house to the garden. Around the eaves of the property are soffits which again are tightly fitting with no potential bat access points.

Internally the roof has a wooden frame and a relatively low ridge height (roughly 1.8m). The former flat roof, along with gravel covering is still evident throughout though this has been covered with thin layers of fibreglass insulation (*Plates 6 & 7*). The roof is lined with a modern breathable type membrane which appears to be in good condition with no rips or holes.

The garage area of the building (*Plate 8*) is to the southern end and is accessed via a door at the rear or a double metal garage door to the front. Access suitable for bats is present around the metal door though within the garage itself there are bare blockwork walls, exposed ceiling joists and tightly fitting door/window frames. Potential roosting locations within the garage are limited to gaps between joists and the walls though no evidence of use by bats was noted anywhere in this space.

Elsewhere in the building no evidence of use by bats was identified and no suitable roosting or access points were noted, with the roof, soffits and walls all being in good condition (with the exception of the wall crack shown in *Plate 5* though this is likely too narrow for use by bats).

The building is therefore considered to have *Low/Negligible* Potential for roosting bats.

Plate 4. Rear of building



Plate 5. Showing an example of tightly fitting roof tiles and soffits



Plate 6. Showing narrow exterior crack at northern end of the building



Plate 7. Internal conditions in the loft space



Plate 8. Loft space



Plate 9. Interior of garage



3.4.3 Birds

No evidence of nesting birds was identified in or around the building during the survey although the trees and shrubs do represent suitable nesting habitat and are likely to be used by breeding birds.

3.4.4 Reptiles

There is limited suitable habitat for common species of reptile, with the outgrown lawn and shrub bases representing the only areas with potential for use by species such as Slow worm. The remainder of the site (buildings and hardstanding) is not suitable for use by reptiles.

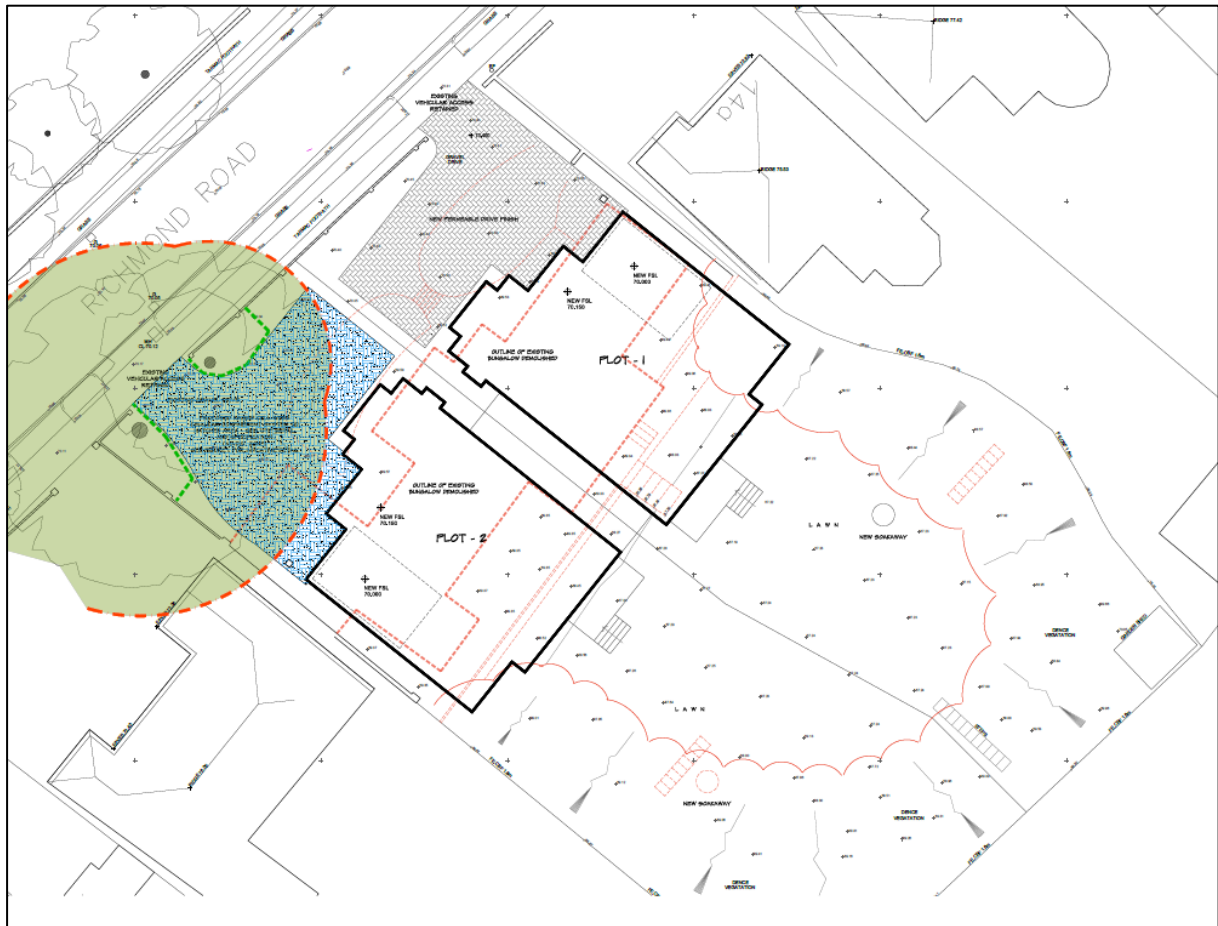
3.4.5 Other Species

There is habitat present on site suitable for other species of conservation concern, such as European Hedgehog (*Erinaceus europaeus*) with the outgrown amenity grassland and shrub/hedgerow bases representing suitable foraging and commuting habitat for these species. No evidence of Hedgehog was identified during the survey.

Evidence of use by Fox (*Vulpes vulpes*) was also noted along with a young individual found sunbathing during the survey.

4.1 Summary of Proposals

Figure 3. The proposed development plan



4.2.1 Statutory Sites

The proposed development is not located near any statutory sites, with the nearest designated site being approximately 2.1 km away. Given the distance to the nearest site as well as the scale and type of the development no impacts predicted on protected sites as a result of the proposals.

4.3 Habitats

4.3.1 General

The proposed development will directly affect the unoccupied residential building, trees, shrubs and hedges. The majority of tree, shrub and hedge species are non-native ornamental species or cultivated varieties of native species e.g. Plum and as such these habitats are of limited ecological importance,

4.3.2 Mitigation

The trees to the western corner of the site, along with a large proportion of shrubs and hedgerows in the rear garden will be protected during works, with root protection zones set up around the two trees to the front and no materials or machinery stored within close proximity to the root zone. If machinery is to be used on site any refilling should be completed on hard standing and spill kits available should any fuel/chemicals leak.

4.4 Protected Fauna

4.4.1 General

The building contains very few features suitable for roosting bats and has been classified as having low/negligible potential. Minimal suitable habitat for other protected species was noted on site.

4.4.2 Badger

The garden contains very limited foraging or sett building potential for Badgers. No evidence of Badger was recorded on site and as such it is considered that no Badgers are currently using the site. No further recommendations are made for this species.

4.4.3 Bats

There are records of Brown Long-eared and Common and Soprano Pipistrelle within 2 km of the proposed site boundary.

The building has been classified as having Low/Negligible suitability for use by roosting bats. Given the poor individual roosting feature and the lack of any evidence of use by bats it is considered that the site is not used by roosting bats. The front and rear gardens represent limited foraging habitat, though these will largely be retained following works. As such no impacts to bats are predicted as a result of the development.

In order to enhance the site for bats a minimum of two Schwegler 1FR bat tubes (or equivalent), with one in each replacement property, should be installed during the works to provide new roosting locations suitable for a range of species (such as Common and Soprano Pipistrelle)

If used, exterior lighting should be low level and operate on a timer, with no additional lighting directed at the garden, trees and boundaries to ensure that foraging and commuting habitats remain unlit.

4.4.4 Birds

No evidence of nesting birds was noted during the survey though suitable habitat is present. In order to enhance the site for nesting birds a minimum of two boxes suitable for a range of species (for example Schwegler 1B) should be erected on retained trees in the rear garden.

4.4.5 Reptiles

Works are being completed mostly on existing building footprints and hard standing, as such it is considered extremely unlikely that reptiles will be affected by the proposals. Any vegetation removal should be completed by hand, with grass cut to ground level in stages and in warm conditions to allow any reptiles that may be present the opportunity to move. If any reptiles are found they should be carefully captured by hand and moved to a safe area of the site and an ecologist informed.

4.4.6 Other Species

To prevent species such as Hedgehog or Fox falling into foundation trenches or deep holes, any open excavations should be made safe by either covering or leaving a sloping scaffolding board to allow any animals exit should they fall in.

Perimeter fences should be made to be “Hedgehog Friendly” and include gaps of approximately 13 cm x 13 cm at the base to allow free movement of these species between gardens and into the wider areas.

5 LEGAL PROTECTION

This section briefly describes the legal protection afforded to the protected species referred to in this report. It is for information only and is not intended to be comprehensive or to replace specialised legal advice. It is not intended to replace the text of the legislation but summarises the salient points.

5.1 Badger

Badger is protected in Britain under the *Protection of Badgers Act 1992* and *Schedule 6 of the Wildlife and Countryside Act 1981* (as amended).

The legislation affords protection to Badgers and Badger setts, and makes it a criminal offence to:

- wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or to attempt to do so;
- interfere with a sett by damaging or destroying it;
- to obstruct access to, or any entrance of, a Badger sett; or
- to disturb a Badger when it is occupying a sett.

5.2 Bats

All species of British bat are protected by *The Wildlife and Countryside Act 1981* (as amended) extended by the *Countryside and Rights of Way Act 2000*. This legislation makes it an offence to:

- intentionally kill, injure or take a bat;
- possess or control a bat;
- intentionally or recklessly damage, destroy or obstruct access to a bat roost; and
- intentionally or recklessly disturb a bat whilst it occupies a bat roost.

Bats are also European Protected Species listed on *Schedule 2 of the Conservation of Habitats and Species Regulations 2017* under *Regulation 41*. This legislation makes it an offence to:

- deliberately capture, injure or kill a bat;
- deliberately disturb bats in such a way as to be likely to (a) impair their ability to: (i) to survive, to breed or reproduce, or to rear or nurture their young, or (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or b), to affect significantly the local distribution or abundance of the species to which they belong; and
- damage or destroy a breeding site or resting place of a bat; and
- possess, control, transport, sell, exchange a bat, or offer a bat for sale or exchange.

All bat roosting sites receive legal protection even when bats are not present.

Where it is necessary to carry out an action that could result in an offence under the *Conservation of Habitats and Species Regulations 2010 (SI 2010/490)* it is possible to apply for a European Protected

Species (EPS) licence from Natural England (NE). Three tests must be satisfied before this licence (to permit otherwise prohibited acts) can be issued:

- Regulation 53(2)(e) states that licences may be granted to “preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.”
- Regulation 53(9)(a) states that a licence may not be granted unless “there is no satisfactory alternative”.
- Regulation 53(9) (b) states that a licence cannot be issued unless the action proposed “will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”.

5.3 Nesting Birds

All species of bird are protected under *Section 1* of the *Wildlife and Countryside Act 1981* (as amended). The protection was extended by the CRow Act.

The legislation makes it an offence to intentionally:

- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- take or destroy an egg of any wild bird.

Certain species of bird are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4)* and *1(5)* of the Act. The protection was extended by the CRow Act. The legislation confers special penalties where the above-mentioned offences are committed for any such bird and also make it an offence to intentionally or recklessly:

- disturb any such bird, whilst building its nest or it is in or near a nest containing dependant young; or
- disturb the dependant young of such a bird.

5.4 Common Reptile Species

Common Lizard, Grass Snake, Slow-worm and Adder are listed under *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), in respect of *Section 9(5)* and part of *Section 9(1)*. This protection was extended by the CRow Act.

Under the above legislation, it is an offence to:

- intentionally or deliberately kill or injure any individual of such a species; or
- sell or attempt to sell any part of the species alive or dead.