JOANNA GRAHAM
ECOLOGY LTD

Hazel Dormouse Survey

Iver to Egham

V01

October 2025

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Project: Iver to Egham	Date: 21st October 2025	Project reference: JGE07724
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Quality Assurance

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Revision History

Revision	Date	Amendment
V01	21st October 2025	First issue

Executive Summary

Headline results	Detail
Background	Dalcour Maclaren on behalf of their client commissioned Joanna Graham Ecology Ltd to undertake a Hazel Dormouse survey between Iver to Egham to support the development of a new water pipeline.
Survey	A Hazel Dormouse survey was carried out between April and September 2025.
Result	200 Hazel Dormouse nest tubes were deployed across four sections to subsample the route. No Hazel Dormice or evidence of Hazel Dormice were found during the survey.
Recommendation	To reduce impact to native hedgerows and scrub, it is recommended that the water pipeline is installed using Horizontal Directional Drilling (HDD) where feasible. To further reduce impact to hedgerows the minimum working width should be cleared, leaving a 15cm buffer from the ground where access only is required. If in the unlikely event a Hazel Dormouse is found, all works should cease and a suitably qualified ecologist consulted. A Natural England licence will be required to continue works.

Contents

1. Introduction

1.1 Background and Objectives

Joanna Graham Ecology Ltd carried out a Preliminary Ecological Appraisal (PEA) in September and October 2024, along a linear route from Egham to Iver. The route started at Egham to the south (grid reference TQ 02256 71730) and finished at Iver, located to the north (grid reference TQ 02275 71754). The PEA (Joanna Graham Ecology Ltd, 2024) highlighted hedgerows, woodland and scrub with connectivity via wooded corridors following railway and road corridors which provided suitable nesting, foraging and hibernating habitat for Hazel Dormice (*Muscardinus avellanarius*). Pre-existing nest tubes from a third party, were found within suitable habitat along the route, likely from previous surveys associated with the M4/M25 upgrades. It was recommended that the route used pre-existing gateways or gaps in hedgerows, avoiding any woodland and scrub. It was further recommended that Horizontal Directional Drilling (HDD) was used where pre-existing gaps were not present. The early feasibility stage considered HDD unfeasible and scrub and hedgerows would be impacted and therefore further Hazel Dormouse surveys were recommended.

Joanna Graham Ecology Ltd was instructed by Dalcour Maclaren on behalf of their client to undertake a Hazel Dormouse Survey across the whole route. To survey for Hazel Dormice nest tubes were set up across hedgerows, scrub and linked woodland. The route was subsampled splitting the route into four parcels concentrating effort on habitats of high suitability with good connectivity into the wider landscape. The surveys were set up in April 2025, and nest tubes were checked across the season until September 2025. The guidance within the original Hazel Dormouse Conservation Handbook (Bright *et al.* 2019) was followed where the surveys were based on a point system where each month is given a value where key months such as August and September are scored highest. The tubes were checked across the season to ensure the tubes are in situ to score a minimum of 20 points. Following the installation of the nest tubes, the Hazel Dormouse Mitigation Handbook (Wells *et al.*2025) was released. This report refers to the guidance within both these reference documents.

The objective of the survey and report are to:

- Identify whether Hazel Dormice are present within the habitats associated along the pipeline route and wider landscape from Iver to Egham;
- Assess the value of habitats on and off site for their value as potential dormouse habitat;
- Determine whether a European Protected Species Mitigation Licence (EPSML) is likely to be required to facilitate the works; and
- Make recommendations, if required, regarding appropriate avoidance measures, mitigation or, if necessary, compensation measures.

1.2 Site Description

The route started at the Affinity Water site at Egham Water Treatment Works and ended at Iver Water Treatment Works. The route was located in an urban area, crossing over the M25 and M4 as well as many rivers and railway corridors. Land use was varied and included urban industrial land, woodland, scrub and grassland associated with Staines Moor Site of Special Scientific Interest (SSSI), reclaimed and restored land associated with Brett Aggregates quarry, woodland lined road and river corridors, arable fields bound by species rich hedgerows and neglected land dominated by dense scrub.

The route was subsampled to provide information on the presence/absence of Hazel Dormice across the route. Four sections were surveyed which focused on dense scrub, native hedgerows and connecting woodlands along linear corridors:

Section 1: 50 tubes placed within a network of native and species rich hedgerows and woodland bounding arable fields to the south of Iver Water Treatment Works. The hedgerows comprised Hawthorn (*Crataegus monogyna*), Blackthorn (*Prunus spinosa*), Field Maple (*Acer campestre*), Wild Privet (*Ligustrum vulgare*), Bramble (*Rubus fruticosus* agg.) and rose species (*Rosa* sp.) with bases comprising Alexanders (*Smyrnium olusatrum*), Cleavers (*Galium aparine*) and Cow Parsley (*Anthriscus sylvestris*). Woodland species included semi-mature elm species (*Ulmus* sp.), Sycamore (*Acer pseudoplatanus*), Beech (*Fagus sylvatica*), willow species (*Salix* sp), Field Maple and Ash (*Fraxinus excelsior*) with an understorey comprising Bramble, Common Nettle (*Urtica dioica*), Dogwood (*Cornus sanguinea*) and Hawthorn.

Section 2: 50 tubes placed within offsite broadleaved deciduous woodland south of the M4 which also included Blackthorn scrub around Old Slade Lake and a woodland strip bounding the arable field to the north. The woodland strip comprised Ash, Alder (*Alnus glutinosa*), Hawthorn, Blackthorn, Oak (*Quercus robur*), Cherry (*Prunus avium*), poplar species (*Populus* sp.) with ground flora comprising Wood Avens (*Geum urbanum*), tree saplings, Cow Parsley, Bramble and Ground Ivy (*Glechoma hederacea*). Pre-existing dormouse tubes were located within the woodland south of the M4.

Section 3: 50 tubes placed within Blackthorn, mixed scrub and a woodland edge comprising Oak, Field Maple, Sycamore, Ash, Silver Birch (*Betula pendula*) and willow species. The scrub and woodland bound a neglected tussocky grass field and the Wraysbury River to the west.

Section 4: 50 tubes placed within the woodland dominated by willow species and Bramble scrub boundary which included part of the old railway corridor to the west of Staines Moor SSSI.

1.3 Proposed Works

The proposal is at the feasibility stage and as such the current design and working methodology is still being agreed. However, HDD will be used to cross linear corridors including roads, railways and rivers. Open cut methods will be used within the arable land in Section 1 as well as scrub and grassland areas further along the route.

2. Methods

2.1 Desk Study

A biological search was undertaken from Buckinghamshire and Milton Keynes Environmental Records Centre, Thames Valley Environmental Records Centre, Greenspace Information for Greater London and Surrey Biodiversity Information Centre as part of the PEA desk study which included a search of records of Hazel Dormouse. A search radius of 1km was applied along the length of the route.

2.2 Hazel Dormouse Survey

Following the guidance within The Dormice Conservation Handbook (Bright *et al.*, 2019) Hazel Dormouse nest tubes were installed across the route in April 2025. The tubes were located within suitable habitat at least 1m from the ground at approximately 15-20m intervals, where possible. Locations of dormouse tubes are shown in Figure 6.1. The guidance recommends that a minimum of 50 nest tubes are used. A scoring system based upon the index of probability of finding Hazel Dormice in 50 nest tubes or boxes in any one month across the season of April to November was used. Each month carries an associated index of probability or score (see Table 1), with the values based on deploying 50 tubes. A minimum score of 20 is required for a valid dormouse survey in order to indicate likely absence. If Hazel Dormice are confirmed to be present the survey can stop, as a search effort of 20 is not required when the presence of animals has been confirmed. 200 nest tubes were deployed across the route in April 2025, and subsequently checked in May, July, August and September ensuring that the nest tubes were in-situ for five months to achieve a score of 20, indicating adequate survey effort. The nest tubes were collected after the final check.

Table 1: Index of probability of finding dormice present in nest tubes in any one month (Dormouse Conservation Handbook)

Month	Index of probability
April	1
May	4
June	2
July	2
August	5
September	7
October	2
November	2

Following the installation of the tubes, more recent guidance was released by the Mammal Society which details alternative survey methods and efforts. The project also met the newer guidance requirements.

Table 2: Survey effort required to reach a probability of detection ≥95% when using 50 nest tubes at sites with good quality habitat (Hazel Dormouse Mitigation Handbook).

Tubes installed	Number of checks at monthly intervals	End date
April	6	September
May	5	
June	4	
July	3	
August	3	October
September	3	November
October	9	September

2.3 Surveyor Details

The Hazel Dormouse surveys were undertaken by Joanna Graham BSc(Hons) MCIEEM and assisted by Beth England BSc(Hons) and Lauren Jones-Mullins. Joanna has 14 years' experience as an ecologist and has held a Hazel Dormouse class licence since 2016; licence details can be provided on request. Joanna has also held five mitigation licences since 2020 for Hazel Dormouse.

2.4 Limitations

Tubes located within Section 4 were subject to disturbance and damage by cattle grazing within the SSSI. Any lost tubes were replaced at either an alternative location away from the SSSI grassland edge or located at height to avoid cattle interference. During the May survey, 11 tubes were damaged by cattle and replaced, in July a further seven were damaged and replaced. During the August survey four tubes (15, 19, 20, 45) were missing from Section 4, in the September survey tubes 15 and 20 were still found to be missing.

All pre-existing tubes were also checked during the survey to support survey effort.

The scrub and woodland along the A4 Colnbrook corridor was identified as providing suitable habitat for Hazel Dormice. However, the dense scrub limited full access and the presence of individuals within tents presented a health and safety risk to the surveyors. Nest tubes were deployed within areas to the north and south of the A4 Colnbrook corridor to ensure all linking habitat was surveyed.

The ecological interest of a site can change and therefore any delay to the project may require an updated survey.

3 Results

3.1 Desk Study

The data search returned no records of Hazel Dormice.

3.2 Hazel Dormouse Survey

No Hazel Dormice or evidence of Hazel Dormice were recorded during any of the survey visits. Wood Mice (*Apodemus sylvaticus*) were found in two tubes (tubes 40 and 47, Section 3) during the August and September checks. Scattered Hawthorn leaves were found in tube 14 in Section 1 during the July check. The leaves were not in a nest and there was no woven grass suggesting it was likely associated with a Wood Mouse. Birds' nests were recorded within pre-existing tubes in Section 2 (tubes 28b, 35b and 39a). There was also evidence of birds using the tubes in Sections 1 and 2 as resting places with droppings present. Table 3 below summarises the results of the surveys.

Table 3: Hazel Dormouse presence/absence survey results

Date	Tubes checked	Surveyors	Results
19th May 2025	Sections 1-4	Joanna Graham, Beth England	No evidence of Hazel Dormouse presence
15th July 2025	Sections 1-4	Joanna Graham, Beth England	No evidence of Hazel Dormouse presence
12th August 2025	Sections 1-4	Beth England, Lauren Jones-Mullins	No evidence of Hazel Dormouse presence. Wood Mouse present in Section 3, tube 40
26th September 2025	Sections 1-4	Joanna Graham, Beth England	No evidence of Hazel Dormouse presence. Wood Mouse present in Section 3, tube 47

4 Ecological Assessment and Mitigation

4.1 Impact Assessment

The survey identified no evidence of Hazel Dormice using the hedgerows, woodland or scrub along the route. No nests or physical animals were recorded; furthermore, no chewed nuts indicative of Hazel Dormouse were found. A European Protected Species Licence (EPSL) for Hazel Dormice is not required.

It is recommended where feasible that HDD is used to avoid impact to woodland and hedgerow corridors. Where open cut methods are required, the minimum working width should be maintained when bisecting hedgerows. Where wider areas are required for machinery/plant access, hedgerow bases should remain and be protected to a height of at least 15cm allowing the hedgerows to regrow. Native species of local provenance should be used to replant any hedgerows or woodland corridors seeking opportunities to create native species rich hedgerows comprising over a minimum of five species per 30 metres.

5 References

Bright, P., Morris, P. and Mitchell-Jones, T., 2019. The dormouse conservation handbook. 2nd ed. Peterborough: External Relations Team English Nature

Joanna Graham Ecology Ltd (2024) *Preliminary Ecological Appraisal: Iver to Egham.*

Runnymede Borough Council (2020). *Runnymede 2030 Local Plan* (at Adopted 2030 Local Plan)

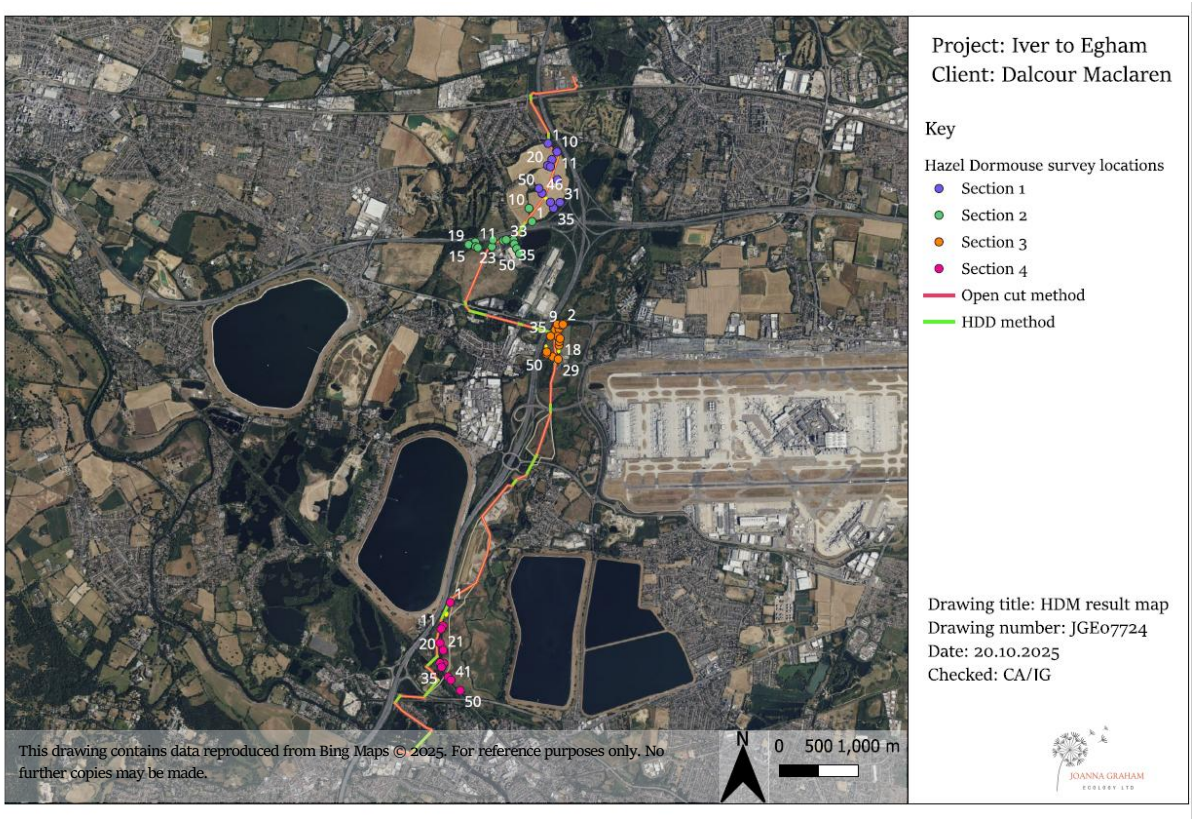
Slough Borough Council (2008). *Slough Local Development Framework Core Strategy 2006 - 2026* (at untitled)

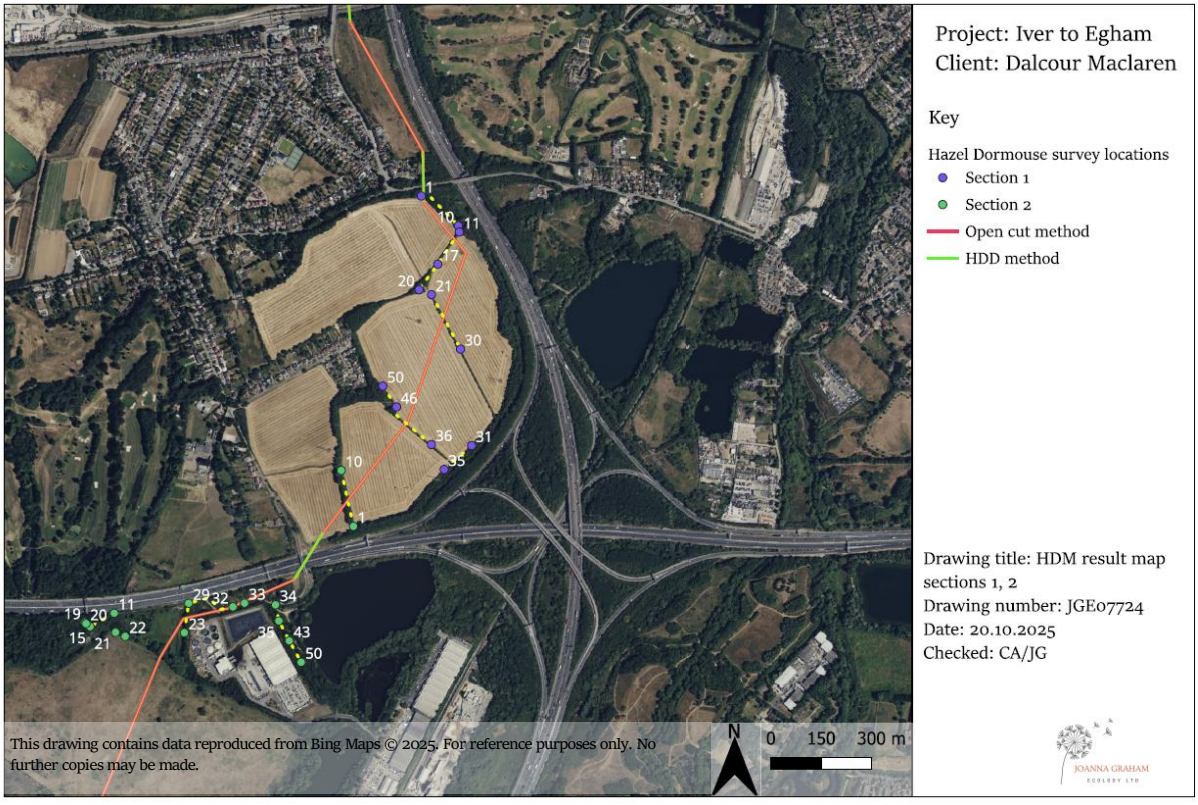
South Bucks District Council (2011). *Core Strategy Development Plan Document* (at South Bucks Core Strategy – Adopted February 2011)

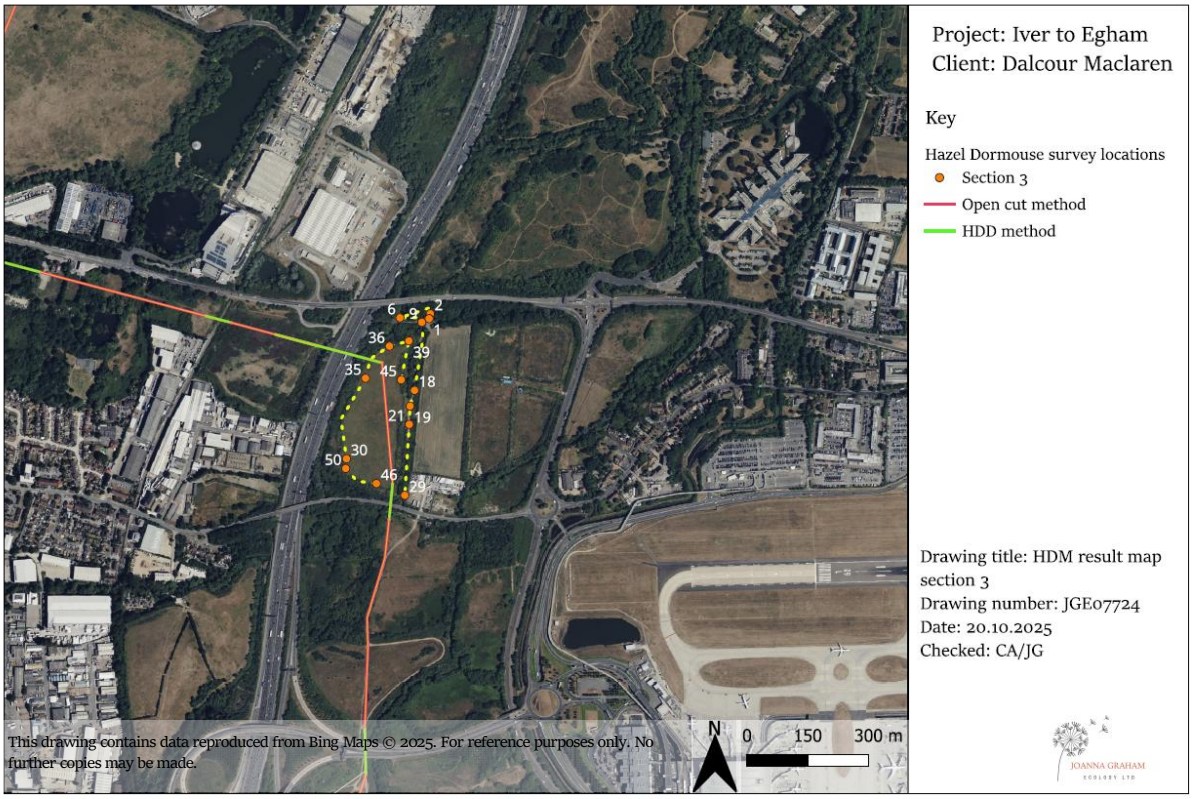
Wells, D., Chanin, P. & Gubert, L. (2025) *Hazel Dormouse Mitigation Handbook. The Mammal Society. ISBN: 978-1-0687982-2-1*

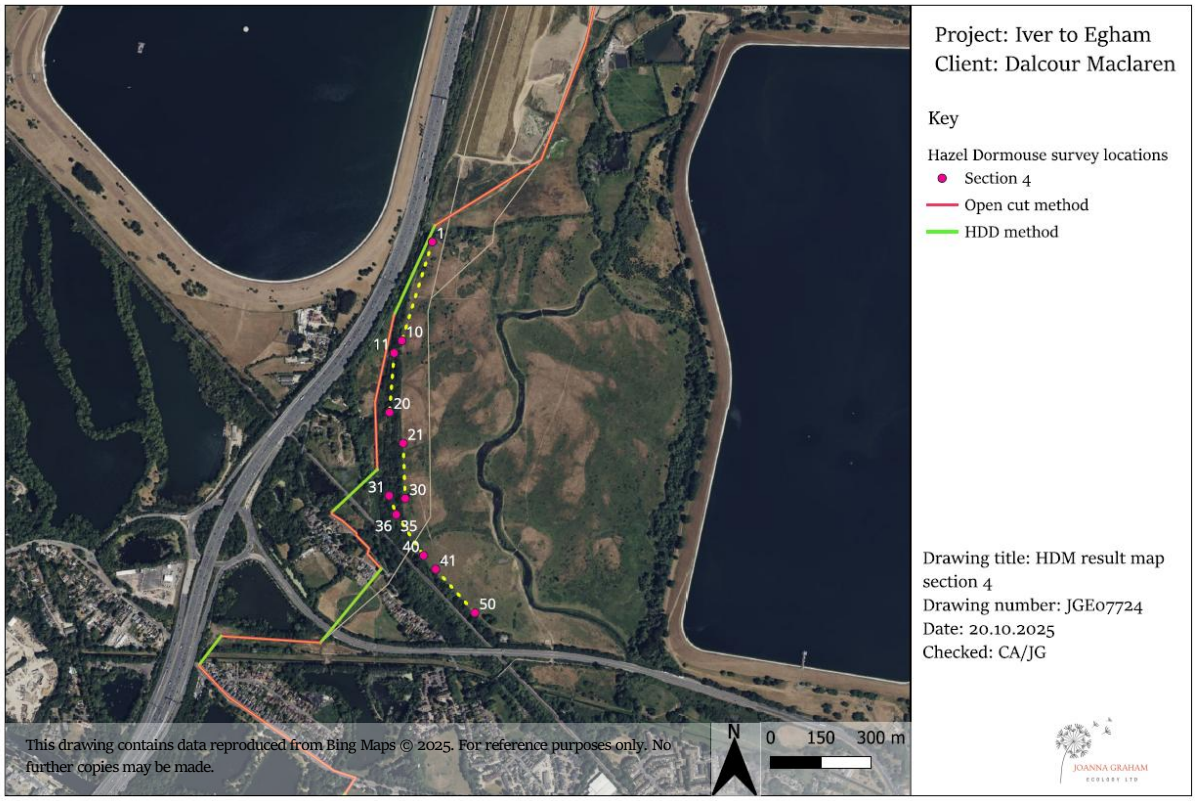
6 Figures

6.1 Survey Maps









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Appendices

Appendix 1 Photographs

Photograph 1: Hedgerow in Section 1

Photograph 2: Woodland in Section 2

Photograph 3: Scrub in Section 2

Photograph 4: Scrub in Section 3

Photograph 5: Section 4 SSSI scrub edge

Photograph 6: Fresh leaves in tube

Photograph 7: Bird evidence

Photograph 8: Example of tube in situ in Hazel

Photograph 9: Pre-existing tube with bird's nest

Appendix 2 Planning Policy and Legislation

National Planning Policy Framework

In England, the National Planning Policy Framework (NPPF), section 15, paragraphs 187 to 201 emphasises the importance of conserving nature and achieving net gains for biodiversity, for full details please see National Planning Policy Framework (publishing.service.gov.uk).

Conserving and Enhancing the Natural Environment:	
Planning policies and decisions should contribute to and enhance the natural and local environment by:	• Protecting and enhancing valued landscapes, sites of biodiversity or geological value, and soils. • Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. • Maintaining the character of the undeveloped coast, while improving public access to it where appropriate. • Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs. • Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. • Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate
Planning Approaches:	• Plans should distinguish between the hierarchy of international, national, and locally designated sites. • They should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework. • Take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure. • Plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.
Protected Areas:	• Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads, and National Landscapes which have the highest status of protection in relation to these issues. • The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. • When considering applications for development within National Parks, the Broads and National Landscapes, permission should be

	refused for major development 67 other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: (a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; (b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and (c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
Habitats and Biodiversity:	
To protect and enhance biodiversity and geodiversity, plans should:	• Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. • Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
Planning determination:	• If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. • Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. • Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 70 and a suitable compensation strategy exists. • Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Protected sites:	• The following should be given the same protection as habitats sites:
	  ○ Potential Special Protection Areas and possible Special Areas of Conservation.
	  ○ Listed or proposed Ramsar sites.
	  ○ Sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

	• The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Local Planning Policy

South Bucks District Core Strategy includes biodiversity within Core Policy 9: Natural Environment. Runnymede 2030 Local Plan includes Policy EE9: Biodiversity, Geodiversity and Nature Conservation, EE11 on Green Infrastructure and EE12 on blue infrastructure. Slough Borough Council includes: Core Policy 9: Natural and Built Environment.

Policy	Description
South Bucks: Core Policy 9: Natural Environment	The highest priority will be given to the conservation and enhancement of the natural beauty of the Chilterns Area of Outstanding Natural Beauty, and the integrity of Burnham Beeches Special Area of Conservation. The conservation and enhancement of the Chilterns AONB and its setting will be achieved by ensuring that all development complies with the purposes of the AONB and its Management Plan. The conservation and enhancement of Burnham Beeches SAC, and its surrounding supporting biodiversity resources, will be achieved through restricting the amount of development in close proximity to the site, and ensuring that development causes no adverse effect on the integrity of the SAC. Further details on mechanisms for achieving this will be given in the Development Management DPD. More generally, the landscape characteristics and biodiversity resources within South Bucks will be conserved and enhanced by: • Not permitting new development that would harm landscape character or nature conservation interests, unless the importance of the development outweighs the harm caused, the Council is satisfied that the development cannot reasonably be located on an alternative site that would result in less or no harm and appropriate mitigation or compensation is provided, resulting in a net gain in Biodiversity. • Seeking the conservation, enhancement and net gain in local biodiversity resources within the Biodiversity Opportunity Areas, on other non-designated land, on rivers and their associated habitats, and as part of development proposals. • Maintaining existing ecological corridors and avoiding habitat fragmentation. • Conserving and enhancing landscapes, informed by Green Infrastructure Plans and the District Council's Landscape Character Assessment. • Improving the rural/urban fringe by supporting and implementing initiatives in the Colne Valley Park Action Plan. • Seeking biodiversity, recreational, leisure and amenity improvements for the River Thames setting where opportunities arise, for example at Mill Lane (see Core Policy 15). Further guidance on the protection and enhancement of landscape and biodiversity resources will be given in the Development Management DPD.

Runnymede: Policy EE9: Biodiversity, Geodiversity and Nature Conservation	Development on or adjacent to the following hierarchy of important sites in the Borough will need to pay particular attention to the requirements of this policy. 1) Ramsar sites (international). 2) Special Protection Areas and Special Areas of Conservation (European). 3) Sites of Special Scientific Interest and National Nature Reserves (National). 4) Ancient Woodland, ancient or veteran trees; and/or trees and hedgerows protected by a Tree Preservation Order. 5) Sites of Nature Conservation Importance, Local Nature Reserves. 6) Other priority habitats and priority species not identified in 1, 2, 3, 4 or 5 above (Local); designated Local Green Space where richness of wildlife has been identified as a contributing factor in its designation; and any area in Runnymede that may be in future identified as a Nature Improvement Area; trees considered to make a significant contribution to their surroundings, individually or as a group. The Council will seek net gains in biodiversity, through creation/expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species. Development proposals should demonstrate how this will be achieved and should be in accordance with any Supplementary Planning Document the Council prepares. Development proposals not directly related to the management of Ramsar, SPA, SAC as well as SSSI units forming part of these designations will not be permitted unless it can be demonstrated that the impact of proposals, either alone or in combination, will not result in likely significant adverse effects. If significant adverse effects remain even with the implementation of suitable avoidance and/or mitigation, development proposals will need to demonstrate that alternatives to the proposal have been fully explored and that Imperative Reasons of Overriding Public Interest (IROPI) exist. In these exceptional circumstances the Council will only permit development where suitable compensatory measures can be implemented. For development proposals that affect national, regional or locally protected sites not forming part of a Ramsar, SPA or SAC, permission will only be granted where it can be demonstrated that the benefits of the development proposal clearly outweigh the harm to the site and has followed the hierarchy of mitigation so that biodiversity/geodiversity damage from development should first be avoided, then mitigated on-site and finally, as a last resort and where acceptable, offset.
Policy EE11: Green Infrastructure	The Council will seek to avoid further habitat fragmentation of Green Infrastructure by encouraging development proposals which restore, maintain and enhance habitat connectivity, in particular in Biodiversity Opportunity Areas as shown on the policies map. The Council will seek development to contribute towards the delivery of a high quality multi-functional Green Infrastructure network by requiring proposals to provide and make enhancements to onsite Green Infrastructure assets. In exceptional circumstances, if it is not possible to provide on-site Green Infrastructure as it is neither feasible nor viable, a financial

	contribution towards provision and enhancement of Green Infrastructure and services may be sought. The Council will ensure the effective use of Tree Preservation Orders to protect significant trees and will encourage the proper care and maintenance of trees by requiring owners to submit applications to work on protected trees and ensure that protected trees are replaced if they have to be felled.
Policy EE12: Blue Infrastructure	The local planning authority will require applicants to contribute towards the delivery of a high quality multi-functional Blue Infrastructure network by expecting Blue Infrastructure assets to be provided, protected, maintained and enhanced to deliver multiple benefits and services for biodiversity, recreation and landscape. Therefore, the Council will resist proposals that lead to a decrease in the provision and quality of, and fails to enhance, the status of blue infrastructure, in accordance with the Water Framework Directive. Proposals will be supported that: • Demonstrate how they will support improving the status of failing water bodies, in particular in relation to the requirements of the Thames River Basin Management Plan; • Do not involve the culverting of watercourses; • Do not involve the loss of natural banks; • Make appropriate provision to protect, enhance, improve and maintain accessible networks of Blue Infrastructure, including through de-culverting and re-naturalisation of hard banks if appropriate; • Where appropriate, enable public access to Blue Infrastructure, including through providing undeveloped buffer zones (8m minimum for main rivers and 5m minimum for ordinary water courses). In certain circumstances, these standards could be negotiated to suit the particular ecological and requirements of a site. Any scheme to provide a buffer zone will need to include a working method statement detailing how the buffer zone will be protected during construction and long-term ecological plan. • Include measures to allow for the natural movement of fish within the watercourse where barriers to fish movement (e.g. weirs) are present. Development where inclusion of Sustainable Drainage Systems is necessary should have a management plan in place to demonstrate how wildlife has been taken account of
Slough: Core Policy 9: natural and built environment	Development will not be permitted unless it: • Enhances and protects the historic environment; • Respects the character and distinctiveness of existing buildings, townscapes and landscapes and their local designations; • Protects and enhances the water environment and its margins; • Enhances and preserves natural habitats and the biodiversity of the Borough, including corridors between biodiversity rich features.

Hazel Dormouse Legislation

Hazel Dormice are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) where it is an offence to intentionally or recklessly disturb, and intentionally or recklessly obstruct access to any place of shelter or protection.

Additionally, they are also protected under The Conservation of Habitats and Species Regulations 2017 (as amended) which makes it an offence to deliberately kill, injure or capture and to deliberately disturb in such a way as:

- to impair their ability to survive, breed, or reproduce, or to rear or nurture young;
- to impair their ability to hibernate or migrate;
- to affect significantly the local distribution or abundance of the species;
- damage or destruct a breeding site or resting place.