



U.S. FISH AND WILDLIFE SERVICE
Migratory Birds Permit Office



Eagle Take Permitting: Disturbance

Frequently Asked Questions and Answers

In 2024, the U.S. Fish and Wildlife Service (Service) revised regulations authorizing the disturbance of bald eagles or golden eagles ([50 CFR 22.280](#)). Disturbance is a type of take under the Bald and Golden Eagle Protection Act. This document provides answers to common questions regarding eagle take permits for disturbance.

1. What does it mean to disturb an eagle?

As defined in [50 CFR 22.6](#), disturb means agitating or bothering an eagle to a degree that causes, or is likely to cause injury, a decrease in productivity, or nest abandonment.

2. What is an eagle disturbance permit?

This permit authorizes disturbance of bald eagles or golden eagles when the disturbance cannot practicably be avoided. A permit does not authorize intentionally disturbing eagles. Rather, it authorizes disturbance that may occur as an unintended consequence of an otherwise lawful activity after appropriate avoidance and minimization measures have been implemented.

3. What types of permits are available for disturbance take?

General permits are available for disturbance of bald eagles only and for activities described at 50 CFR 22.280(b) and summarized below:

- Building construction and maintenance within 660 feet of a bald eagle nest
- Linear infrastructure and maintenance within 660 feet of a bald eagle nest
- Alteration of shorelines or waterbodies within 660 feet of a bald eagle nest
- Alteration of vegetation within 660 feet of a bald eagle nest
- Motorized recreation within 330 feet of an in-use bald eagle nest
- Nonmotorized recreation within 330 feet of an in-use bald eagle nest
- Aircraft operation within 1,000 feet of an in-use bald eagle nest
- Prescribed burn operations within 660 feet of a bald eagle nest
- Loud, intermittent noises within one-half mile of an in-use bald eagle nest



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General permits are not available for any nest located in Indian Country ([18 U.S.C. § 1151](#)). The Bureau of Indian Affairs maintains an interactive map of lands in Indian Country available at [BIA Mapped Lands in Indian Country](#).

Specific permits are available for all other activities, or for activities summarized above that cannot accept the standard permit terms, including disturbance of golden eagles or disturbance in Indian Country.

4. How do I determine if my activity will disturb eagles?

Whether an activity may disturb eagles depends on multiple factors, including, but not limited to, the type of activity, the eagles' tolerance to the activity, and time of year. It is the applicant's responsibility to assess the risk of disturbance.

For bald eagles, we recommend utilizing the [Bald Eagle Management Guidelines](#) and the Service's [Do I Need A Permit tool](#). If your activity is unlikely to disturb eagles, you do not need a disturbance permit. A permit is not required when an activity that may ordinarily disturb eagles is ongoing at the time an eagle pair initiates their first nesting attempt at a new location because the eagles are presumed to tolerate the activity.

For golden eagles, please coordinate with your regional USFWS Migratory Bird Office.

5. Does hazing of eagles require a disturbance permit?

No. Hazing—the use of nonlethal methods to disperse eagles away from a site—does not constitute eagle disturbance unless it is adjacent to a nest and disrupts eagle breeding activity. An [Eagle Depredation permit](#) can authorize hazing that may disturb an eagle nest.

6. Does a disturbance permit also authorize incidental take of an eagle nest?

The regulations for disturbance take of eagles can be used to authorize the incidental take of eagle nests (nest take that may occur as an unintended consequence of an otherwise lawful activity after appropriate avoidance and minimization measures have been implemented). For example, prescribed burns may disrupt breeding activity by unintentionally taking or burning nests when a fire moves unexpectedly across break lines or into tree canopies. This authorization does not include take caused by lack of due diligence or negligence; for example, failure to identify nest locations prior to conducting an activity.

7. Does a single general permit authorize several types of disturbance from the same activity?

Yes. A single general permit may authorize multiple sources of disturbance associated with the same activity, provided they affect the same bald eagle nesting territory or otherwise meet the



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eligibility requirements for a general permit. If a project or activity may disturb multiple nesting territories, applicants may request a specific permit.

8. What are the monitoring requirements?

All disturbance permits require monitoring of eagle nests. At a minimum, permittees must monitor in-use nests sufficiently to determine whether nestlings have fledged. Depending on the activity, the methods necessary to observe the nest, and the permit conditions, the Service may require additional monitoring to evaluate things like nest occupancy, mitigation adequacy, and the risk of ongoing disturbance.

9. What are the reporting requirements?

Disturbance permits require submission of an annual report ([Form 3-202-15](#)) describing nest status and, if in-use, nest fate. Annual reports are required even if no activity occurred.

10. How long is an eagle disturbance permit valid?

General permits are valid for a maximum of 1 year. Specific permits cannot exceed 5 years. All general and specific permits for eagle disturbance expire on August 31, regardless of when they are issued. The expiration date of each permit is designated on the face of the permit.

For additional technical resources, application materials, and permit information, please visit the Service's [Eagle Management website](#).