

**Attachment 1.**

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Division of Fish, Wildlife & Marine Resources, Bureau of Wildlife, Region 3  
21 South Putt Corners Road, New Paltz, NY 12561-1620  
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www.dec.ny.gov

<DATE>

<address w/name>

To Whom It May Concern:

I am writing this letter in regard to a pair of Bald Eagles nesting on your property located at \_\_\_\_\_. I understand that you are the owner of the property and write to provide you with information regarding the legal status of Bald Eagles and recommended protection measures for this species. If you are not the owner of this property please inform us of this.

Bald Eagles and their nests are protected by federal law pursuant to the Bald and Golden Eagle Protection Act and by New York State law as a threatened species, pursuant to Environmental Conservation Law Article 11. These laws protect against the "taking" of Bald Eagles. "Taking" includes, but is not limited to, actions such as pursuing, harassing, harming, worrying, or disturbing Bald Eagles. The protection of Bald Eagles also extends to modifications to their habitat which might result in a "take."

In order to prevent a "take" of Bald Eagles or their habitat from occurring, New York State routinely recommends the following precautions:

- Maintain a minimum no disturbance area of 330 feet around the nest tree (the "Buffer Zone"). During the Bald Eagle breeding season (January 1 to September 30) human entry is discouraged within this Buffer Zone;
- Avoid removal of trees from the Buffer Zone. A forested area can provide a beneficial screen between human activity and Bald Eagles; and
- During the breeding season (Jan 1- Sept 30), maintain a secondary buffer zone totaling 750 to 1000 feet from the nest tree, wherein major noise or construction activity is discouraged.

These recommendations are designed to help landowners avoid inadvertently "taking" Bald Eagles in violation of the law.

Routine activities that occur on your property, such as the use of homes and roads, that pre-date the eagles' presence can continue at the same level of activity without much

*Matt,  
Bald eagles  
are nesting  
once again  
in Eagle  
Mountain.  
Can you please  
remind residents  
to respect U.S.  
recommendations  
Thank you.  
Dana Steel*

chance of a take occurring. However, a preexisting use can still disturb eagles if it occurs only intermittently or occasionally such as an annual event.


Please be advised that prior to doing any work on your property that is inconsistent with these recommendations, you may need to obtain a permit from the U.S. Fish and Wildlife Service and DEC. Please contact our office for consultation if you are planning any projects in the vicinity of the nest.

Bald Eagles are an important natural resource and attract much public attention. However, too much attention could be detrimental to the species. Therefore, DEC does not publicize eagle nesting locations in order to reduce public disturbance. This information should be considered confidential and protected from the public as much as possible.

More information on Bald Eagles in New York can be found on the New York State Department of Environmental Conservation's ("DEC") website at: <http://www.dec.ny.gov/animals/7068.html>. In addition, the U.S. Fish and Wildlife Service has also issued Bald Eagle Management Guidelines for the protection of Bald Eagle nesting sites. These guidelines can be found at: <http://www.fws.gov/northeast/ecologicalservices/pdf/NationalBaldEagleManagementGuidelines.pdf>

If you have any questions, please do not hesitate to contact me at 845-256-2257 or [lisa.masi@dec.ny.gov](mailto:lisa.masi@dec.ny.gov) or Wildlife Technician Meghan Oberkircher at 845-633-5451 or [meghan.oberkircher@dec.ny.gov](mailto:meghan.oberkircher@dec.ny.gov).

Sincerely,



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