



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

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[MASS.GOV/MASSWILDLIFE](https://www.mass.gov/masswildlife)

COMMONWEALTH OF MASSACHUSETTS

DIVISION OF FISHERIES AND WILDLIFE

PUBLIC HEARING NOTICE

321 CMR 2.01

In accordance with the Mass. Gen. Laws, Chapter 131, Sections 5, and Chapter 30A, Section 2, NOTICE is hereby given that the Division of Fisheries and Wildlife will hold a public hearing on Thursday, October 20, 2022, 11:00 a.m., at the Division of Fisheries and Wildlife's Field Headquarters, Richard Cronin Building, 1 Rabbit Hill Road, off North Drive, Westborough, Massachusetts, on proposed regulatory amendments to 321 CMR 2.01 Retriever or Bird Dog Trials in Massachusetts.

The proposed regulatory amendments relative to 321 CMR 2.01 are posted at [Mass.gov/MassWildlife-Public-Hearings](https://www.mass.gov/masswildlife-public-hearings), so that interested persons can review them and provide written comments prior to the hearing and oral comments during the public-comment portion of the public hearing. Written public comments will be accepted until Thursday, November 3, 2022, 5:00 p.m.

Please note

If you have a disability or medical condition and would like to request special accommodation or will require language interpretation services, please contact Susan Sacco via email at your earliest convenience: susan.sacco@mass.gov.

Mark S. Tisa, Ph.D., M.B.A.
Director

MASSWILDLIFE

321 CMR 2.00: MISCELLANEOUS REGULATIONS RELATING TO FISHERIES AND WILDLIFE

Section

2.01: Retriever or Bird Dog Trials In Massachusetts

2.01: Retriever or Bird Dog Trials in Massachusetts

~~In accordance with the authority vested in me by M.G.L. c. 131, § 21, and in addition to the provisions of M.G.L. c. 131, §§ 20 and 21, I hereby declare 321 CMR 2.00 relative to retriever or bird dog trials in Massachusetts.~~

- (1) Upon application to the Director by a club or organization, and upon payment of a fee by the applicant, ~~the amount of which shall be determined annually by the Commissioner of Administration and Finance under the provisions of M.G.L. c. 7, § 3B, while in effect,~~ the Director may issue a license under M.G.L. c. 131, § 20, to such club or organization to hold a special ~~bird dog trial or~~ retriever or bird dog trial at the time and place stated in the license.
- (2) Clubs or organizations desiring to hold a retriever or bird dog trial ~~or retriever trial~~ on properties owned or administered by the Division of Fisheries and Wildlife, or on other properties where the services of an employee or employees of the Division of Fisheries and Wildlife are deemed necessary, may apply to the Director for a permit to hold said trial under M.G.L. c. 131, § 21. Such a permit may be issued upon payment of a reasonable fee, ~~the amount of which shall be determined annually by the Commissioner of Administration and Finance.~~ Said permit shall not authorize the killing or taking of game birds and mammals. No fee will be charged for M.G.L. c. 131, § 21 field trial permits issued for trials held on private grounds not involving the services of Division of Fisheries and Wildlife employees.
- (3) Organizations desiring to apply for field trials or to purchase birds for use in field trials shall apply to the Division of Fisheries and Wildlife, District Office for the area in which the trial is to be held at least four weeks prior to the anticipated date of the licensed trial. Applicants shall provide the Division with the name of the club sponsoring the trial, the date(s) and location of the trial site, and the name and address-contact information of a club officer who will act as representative at the trial. Date and location of the trial shall be approved by the Director or ~~his~~ their ~~authorized~~ agent prior to the approval of bird liberations.
- (4) No club or organization shall liberate any pheasant, quail, chukar partridge, mallard duck, or other game bird unless said club or organization possesses a permit from the Director so to do. Any game birds so liberated and/or imported must originate from a Salmonella pullorum clean and Avian Influenza negative flock and be accompanied by all documentation required by the Massachusetts Department of Agricultural Resources. , and unless any pheasant or quail so liberated has been individually tested within six months, or the parent flock tested within one year, and certified by the Department of Agricultural Resources as free of salmonella pullorum as required in the official Massachusetts pullorum passed grade for poultry, or any transmissible poultry disease by the animal science department of the University of Massachusetts, or shall have been so certified by a corresponding agency or official of another state. ~~No individual, club or organization shall import any game bird unless~~ said individual, club or organization possesses a permit from the Director so to do.

2.01: continued

- (5) No club or organization licensed or permitted to hold a retriever or bird dog field trial on wildlife management areas, nor any individual or officer belonging to or associated with said club or organization, shall dump or discard any trash, bottles, signs, posters, or other debris within or upon any wildlife management area or on the grounds of adjacent installations, or inside of any buildings or facilities which may be provided for use by field trial licensees or permittees, nor shall any club, organization, or individual associated therewith discard or deposit hay, straw, manure, or other debris from or within any horse trailer or animal transporter onto or upon any lawn or parking lot of any wildlife management area or other Division installation. Licensees, permittees, or their representative shall inspect the premises utilized by them for said field trial and shall remove or cause to be removed, no later than the last day of the trial, any such debris, trash, manure, or material of like nature. ~~Field trial chairmen will make any special arrangements with the Wildlife District Manager.~~
- (6) The issuance of a field trial license or permit to an organization for a trial on a wildlife management area grants exclusive use of that area actually being used by the licensed organization and does not extend to other portions of the wildlife management area. Licensees, permittees, and participants engaged in field trials on wildlife management areas shall abide by the provisions of 321 CMR 3.01(1) and unless herein excepted or excepted in the license or permit granted for said field trial, and shall further adhere to and abide by any special requirements issued or required by the Director or ~~his~~ their ~~authorized~~ agent as conditional for a particular ~~retriever or~~ bird dog ~~or retriever~~ trial.
- (7) Field trials may be conducted on ~~the Crane, High Ridge, and Herman J. Covey (Swift River) Wildlife Management Areas from the first Saturday in March to the first Friday following Columbus Day prior to October 10. During the upland game bird season at Crane, High Ridge and Herman J. Covey (Swift River) Wildlife Management Areas, trials may be conducted only on Sundays. From the first Friday following Columbus Day through the last Sunday in November, pheasants only will be used on the High Ridge and Herman J. Covey (Swift River) Wildlife Management Areas, and pheasants and quail only permitted on the Crane Wildlife Management Area. Trials may be conducted on other~~ any wildlife management areas at such times as may be authorized in writing by the Director or ~~his~~ their agent.
- (8) Horses may be used within the permitted area by handlers, judges, recorders, or scouts. All horses must travel in marked lanes or vehicle roads only unless involved in the handling of a dog as authorized by the field trial judge or unless otherwise authorized by the Director or ~~his~~ their agent. ~~No horses shall be permitted at any time in those fields or mown areas maintained for the purpose of flying model airplanes.~~
- (9) Overnight camping in self-contained units may be conducted in conjunction with field trials when so stated on the field trial permit. All campers, trailers and other vehicles not authorized by the permittee for overnight camping or in trials not allowing overnight camping, must leave the trial grounds no later than four hours after the last brace of the day has been completed. ~~No overnight camping will be allowed on the Herman J. Covey (Swift River) Wildlife Management Area.~~ Parking and overnight camping for handlers, judges, committee members, participants and observers shall be in accordance with those areas designated by the Director or ~~his~~ their ~~authorized~~ agent.
- (10) Electrical, water, or sewage hookups shall not be made to Division outlets or buildings without the express permission of the Director or ~~his~~ their ~~authorized~~ agent.
- (11) For trials on any wildlife management area, licensees, permittees, or their authorized representative in charge of the trial must contact the Wildlife District Manager in charge thereof prior to said trial to receive any special instructions pertinent to the trial.

~~(12) No trials licensed under provisions of M.G.L. c. 131, § 20, shall be held on the High Ridge and Herman J. Covey (Swift River) Wildlife Management Areas.~~
~~(13)~~(12) The Director may deny or revoke a permit for just cause at any time.

321 CMR: DIVISION OF FISHERIES AND WILDLIFE

321 CMR 2.00: MISCELLANEOUS REGULATIONS RELATING TO FISHERIES AND WILDLIFE

Section

2.01: Retriever or Bird Dog Trials In Massachusetts

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- (1) Upon application to the Director by a club or organization, and upon payment of a fee by the applicant, the Director may issue a license under M.G.L. c. 131, § 20, to such club or organization to hold a special retriever or bird dog trial at the time and place stated in the license.
- (2) Clubs or organizations desiring to hold a retriever or bird dog trial on properties owned or administered by the Division of Fisheries and Wildlife, or on other properties where the services of an employee or employees of the Division of Fisheries and Wildlife are deemed necessary, may apply to the Director for a permit to hold said trial under M.G.L. c. 131, § 21. Such a permit may be issued upon payment of a reasonable fee. Said permit shall not authorize the killing or taking of game birds and mammals. No fee will be charged for M.G.L. c. 131, § 21 field trial permits issued for trials held on private grounds not involving the services of Division of Fisheries and Wildlife employees.
- (3) Organizations desiring to apply for field trials or to purchase birds for use in field trials shall apply to the Division of Fisheries and Wildlife, District Office for the area in which the trial is to be held at least four weeks prior to the anticipated date of the licensed trial. Applicants shall provide the Division with the name of the club sponsoring the trial, the date(s) and location of the trial site, and the name and contact information of a club officer who will act as representative at the trial. Date and location of the trial shall be approved by the Director or their agent prior to the approval of bird liberations.
- (4) No club or organization shall liberate any pheasant, quail, chukar partridge, mallard duck, or other game bird unless said club or organization possesses a permit from the Director so to do. Any game birds so liberated and/or imported must originate from a Salmonella pullorum clean and Avian Influenza negative flock and be accompanied by all documentation required by the Massachusetts Department of Agricultural Resources. No individual, club or organization shall import any game bird unless said individual, club or organization possesses a permit from the Director so to do.

2.01: continued

- (5) No club or organization licensed or permitted to hold a retriever or bird dog field trial on wildlife management areas, nor any individual or officer belonging to or associated with said club or organization, shall dump or discard any trash, bottles, signs, posters, or other debris within or upon any wildlife management area or on the grounds of adjacent installations, or inside of any buildings or facilities which may be provided for use by field trial licensees or permittees, nor shall any club, organization, or individual associated therewith discard or deposit hay, straw, manure, or other debris from or within any horse trailer or animal transporter onto or upon any lawn or parking lot of any wildlife management area or other Division installation. Licensees, permittees, or their representative shall inspect the premises utilized by them for said field trial and shall remove or cause to be removed, no later than the last day of the trial, any such debris, trash, manure, or material of like nature.
- (6) The issuance of a field trial license or permit to an organization for a trial on a wildlife management area grants exclusive use of that area actually being used by the licensed organization and does not extend to other portions of the wildlife management area. Licensees, permittees, and participants engaged in field trials on wildlife management areas shall abide by the provisions of 321 CMR 3.01(1) and unless herein excepted or excepted in the license or permit granted for said field trial, and shall further adhere to and abide by any special requirements issued or required by the Director or their agent as conditional for a particular retriever or bird dog trial.
- (7) Field trials may be conducted on any wildlife management areas at such times as may be authorized in writing by the Director or their agent.
- (8) Horses may be used within the permitted area by handlers, judges, recorders, or scouts. All horses must travel in marked lanes or vehicle roads only unless involved in the handling of a dog as authorized by the field trial judge or unless otherwise authorized by the Director or their agent.
- (9) Overnight camping in self-contained units may be conducted in conjunction with field trials when so stated on the field trial permit. All campers, trailers and other vehicles not authorized by the permittee for overnight camping or in trials not allowing overnight camping, must leave the trial grounds no later than four hours after the last brace of the day has been completed. Parking and overnight camping for handlers, judges, committee members, participants and observers shall be in accordance with those areas designated by the Director or their agent.
- (10) Electrical, water, or sewage hookups shall not be made to Division outlets or buildings without the express permission of the Director or their agent.
- (11) For trials on any wildlife management area, licensees, permittees, or their authorized representative in charge of the trial must contact the Wildlife District Manager in charge thereof prior to said trial to receive any special instructions pertinent to the trial.
- (12) The Director may deny or revoke a permit for just cause at any time.