



MASSWILDLIFE

## DIVISION OF FISHERIES & WILDLIFE

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**MASS.GOV/MASSWILDLIFE**

### COMMONWEALTH OF MASSACHUSETTS

#### DIVISION OF FISHERIES AND WILDLIFE

#### PUBLIC HEARING NOTICE

#### 321 CMR 7.0

In accordance with M.G.L., Chapter 131, Sections 5 and 63, and Chapter 30A, Section 2, NOTICE is hereby given that the Division of Fisheries and Wildlife will hold a public hearing on proposed regulatory amendments to 321 CMR 7.0 Wildlife Sanctuaries Regulations in Massachusetts on Thursday, March 20, 2025, at 1:00 p.m., via a Zoom video webinar with the Hearing Officer and MassWildlife staff, with the public joining via computer or phone line. The proposed amendments will specify how Wildlife Sanctuaries will be posted, as mandated by and in accordance with M.G.L. Chapter 131 § 10.

The proposed regulatory amendment relative to 321 CMR 7.0 and the link to join the Zoom webinar are posted at [Mass.gov/MassWildlife/Hearings](https://mass.gov/masswildlife/hearings) so that interested persons can review the proposed regulations and provide written comments prior to the hearing or oral comments during the virtual hearing. Written public comments will be accepted before the hearing and after it closes for two weeks, until Wednesday, April 2, 2025, 4:00 p.m.

Please note: MassWildlife is committed to providing equitable access to its public meetings, hearings, and events. American Sign Language (ASL) and Communication Access Realtime Translation (CART) captioning, as well as live interpretation, including in Español, Português, 中文, Kreyòl Ayisyen, or Tiếng Việt, will be provided for this hearing upon request. Please contact Susan Sacco at [susan.sacco@mass.gov](mailto:susan.sacco@mass.gov) to request accommodation or interpretation by 12:00 p.m. on Monday, March 17, 2025.

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

MASSWILDLIFE

321 CMR 7.00: WILDLIFE SANCTUARIES

Section

7.01: Wildlife Sanctuaries - General

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(1) Purpose. 321 CMR 7.00 governs the administration of wildlife sanctuaries and prohibited acts within the geographical boundaries of such areas. These provisions incorporate the philosophy of the Division that proper management of the wildlife resources of the Commonwealth necessitates the preservation of all life forms in order to maximize the ecological balance and genetic diversity of the environment.

(2) Definitions. As used in 321 CMR 7.00:

(a) feeding and nesting environment means the habitat of a species, including all animal and plant life of the ecological communities of which the habitat is comprised.

(b) make use of means any action affecting or involving a wildlife sanctuary which the Director determines is necessary or appropriate to carry out the purposes for which such sanctuaries are established.

(c) protecting means the conservation, preservation, replenishment, restocking, rehabilitation, research, habitat protection, education, and any other means of attempting to ensure the survival and/or proliferation of a species or ecological community.

(d) useful fish, birds, or mammals means all species of animal life, whether vertebrate or not, which the Director deems necessary or appropriate to preservation of the ecological balance and/or genetic diversity of the natural world.

(e) wildlife sanctuary means any lands, waters, shores, and interests therein administered by the Director for protecting any species of useful fish, birds, or mammals, and for aiding the propagation thereof, and in which activities are governed by M.G.L. c. 131, §§ 7 through 10.

(3) Sanctuaries. Wildlife sanctuaries are maintained for the primary purpose of protecting species of useful fish, birds, or mammals, and for aiding in the propagation thereof. In order to carry out this purpose, the Director is authorized, among other powers, to make use of the sanctuaries as he deems best for improving the feeding and nesting environment of birds or mammals, including the adoption of management plans for and the prohibition of certain acts in such sanctuaries.

(4) Prohibited Acts

(a) No person, except as authorized in M.G.L. c. 131, § 4(2), shall hunt, trap or take any mammal, bird, reptile, amphibian, fish, or invertebrate within the bounds of any wildlife sanctuary, nor shall any person enter such sanctuary with a rifle, shotgun, firearm, bow and arrow, trap, snare, or other device of any kind or description adapted to killing, taking or injuring of any mammal, bird, reptile, amphibian, fish, or invertebrate, nor shall any person take, molest, harass, remove, or destroy any nest, eggs, spawn, larvae, or young of any mammal, bird, reptile, amphibian, fish, or invertebrate.

(b) No person, except with the written permission of the Director of the Division of Fisheries and Wildlife or [his-their](#) authorized representative, shall cut, pick, break down, dig

up, or otherwise alter, damage, or destroy any plant or part thereof within the bounds of any wildlife sanctuary. Further, no person shall remove or dig up any soil, stones, or minerals from any wildlife sanctuary.

(c) No person, except governmental employees in the performance of their duties, or except with the written permission of the Director of the Division of Fisheries and Wildlife or ~~his~~ their authorized representative, shall drive, operate, or possess, within the bounds of any wildlife sanctuary, any motor vehicle, snow vehicle, or recreational vehicle, except on roads maintained by a governmental agency and designated for the express purpose of permitting public vehicular traffic.

## 7.01: continued

- (d) No person, except with the written permission of the Director of the Division of Fisheries and Wildlife or his-their authorized representative, shall deface, damage, molest, remove or cause to be removed any sign, fence, gate, building, monument, structure, or equipment upon or within the bounds of any wildlife sanctuary.
- (e) No person shall dump or discard or cause to be dumped or discarded, any container, papers, garbage, brush, stumps, leaves, solid or liquid wastes, tires or any other materials within the bounds of any wildlife sanctuary.
- (f) No person, except with the written permission of the Director of the Division of Fisheries and Wildlife, or his-their authorized representative, shall camp within the bounds of any wildlife sanctuary. "Camping" shall mean the utilization of any piece of equipment for sleeping in or upon, including, but not limited to, a sleeping bag, hammock, tent, tarp, motor vehicle, recreational vehicle, trailer, or watercraft, for the purpose of occupying a piece of land or water for transient and temporary outdoor living.
- (g) No person shall build, maintain, or cause to be built or maintained, any fire within the bounds of any wildlife sanctuary, except with the written permission of the Director of the Division of Fisheries and Wildlife or his-their authorized representative, and the written permission of the town (city) fire chief or the district fire warden.
- (h) No person shall illegally consume, use, cultivate, or possess any controlled substance of any schedule or class or any counterfeit substance within the bounds of any wildlife sanctuary. For the purposes of 321 CMR 7.00, the definition of "controlled substance" and "counterfeit substance" shall be those definitions contained in M.G.L. c. 94C, § 1.
- (i) No person shall consume, use, or possess any alcoholic beverage within the bounds of any wildlife sanctuary. For the purposes of 321 CMR 7.00, the definition of "alcoholic beverage" shall be that definition contained in M.G.L. c. 138, § 1.
- (j) No person, except a governmental employee in the performance of his-their duties, or except by written permission of the Director of the Division of Fisheries and Wildlife or his-their authorized representative, shall be present within the bounds of any wildlife sanctuary between ½ hour after sunset and hour before sunrise.
- (k) No person, except with written permission of the Director of the Division of Fisheries and Wildlife or his-their authorized representative, shall, within the bounds of any wildlife sanctuary, dig, excavate, remove, disturb, or cause to be dug, excavated, removed or disturbed, any archeological or paleontological artifacts, remains, ruins, sites, fossils, or other objects of unusual historical or prehistorical antiquity.

(5) Wildlife Sanctuary Posting

Wildlife Sanctuaries shall be posted in a conspicuous manner with printed notices at intervals of not more than 300 feet apart along the borders of the land. All entry ways and paths shall be posted.

## REGULATORY AUTHORITY

321 CMR 7.00: M.G.L. c. 131, § ~~810~~.

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7.01: continued

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REGULATORY AUTHORITY

321 CMR 7.00: M.G.L. c. 131, §10.