



MASSWILDLIFE

DIVISION OF  
**FISHERIES & WILDLIFE**

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COMMONWEALTH OF MASSACHUSETTS

DIVISION OF FISHERIES AND WILDLIFE

PUBLIC HEARING NOTICE

321 CMR 3.00

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 Wednesday, June 22, 2022, 3:00 p.m., at the Division of Fisheries and Wildlife's Field Headquarters, Richard Cronin Building, 1 Rabbit Hill Road, off North Drive, Westborough, on proposed regulatory amendments to 321 CMR 3.00 Hunting; specifically, regulations relating to hunting of Pheasant, Quail, and Small Game.

The proposed regulatory amendments relative to 321 CMR 3.00 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 Wednesday, July 6, 2022, at 5:00 p.m.

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

MASSWILDLIFE

321 CMR 3.00: HUNTING

Section

- 3.01: Hunting, Generally
- 3.02: Hunting, Particular Game
- 3.03: Hunting, in Certain Areas
- 3.04: Falcons, Other Raptors, and Falconry
- 3.05: Hunting, Fishing, Trapping and Taking of Reptiles and Amphibians in All the Counties of the Commonwealth

3.01: Hunting, Generally

(1) Wildlife Management Areas.

[...]

~~(m) No person, except for the hunting of raccoon and opossum in accordance with 321 CMR 3.01(1)(e) and except for the shooting of trapped fur bearing mammals by licensed trappers, shall use any weapon other than shotgun or bow and arrow during the pheasant or quail seasons on any wildlife management area where pheasant or quail are stocked. Stocked areas are listed in 321 CMR 3.01(1)(n) Reserved.~~

~~(n) Reserved. No person, except in accordance with 321 CMR 3.01(1)(e), shall hunt before sunrise or after sunset during the pheasant and quail seasons on any wildlife management area where pheasant or quail are stocked. Stocked areas are as follows:~~

~~Central Wildlife District:~~

~~Barre Falls Wildlife Management Area (WMA)~~

~~Bennett WMA~~

~~Birch Hill WMA~~

~~Bolton Flats WMA~~

~~High Ridge WMA~~

~~Hubbardston WMA~~

~~Millers River WMA (Athol, Royalston, Phillipston)~~

~~Moose Hill WMA~~

~~Oakham WMA~~

~~Phillipston WMA~~

~~Quaboag River WMA~~

~~Richardson WMA~~

~~Ware River WMA~~

~~West Hill WMA~~

~~Westborough WMA~~

~~Winimusset WMA~~

~~Connecticut Valley Wildlife District:~~

~~Bennett Meadows WMA~~

~~Great Swamp WMA~~

~~Herman J. Covey (Swift River) WMA~~

~~Leyden WMA~~

~~Montague Plains WMA~~

~~Pauchaug Brook WMA~~

~~Poland Brook WMA~~

~~Southampton WMA~~

~~Southwick WMA~~

~~Northeast Wildlife District:~~

~~Ashby WMA~~

~~Charles River WMA (Area C)~~

~~Crane Pond WMA~~

~~Harold Parker WMA~~

3.01: continued

~~Martin H. Burns WMA  
 Squannacook River WMA  
 Southeast Wildlife District:  
 Erwin S. Wilder Section of Hoekomoek WMA  
 Fall River/Freetown WMA  
 Frances A. Crane WMA  
 Mareoni WMA  
 Myles Standish WMA  
 Noquochoke WMA  
 Western Wildlife District:  
 Eugene D. Moran WMA  
 George L. Darey Housatonic Valley WMA  
 Hinsdale Flats WMA  
 Hop Brook WMA  
 Knightville Dam WMA  
 Stafford Hill WMA~~

3.02: Hunting, Particular Game

(1) Hunting of Bear. In accordance with the authority vested in M.G.L. c. 131, § 5, an annual open season for the hunting of black bear in Massachusetts is established, subject to the following rules and regulations:

[...]

(c) Hunting Hours: A person shall not hunt black bear on any day during the open season except during the period between ½ hour before sunrise and ½ hour after sunset, ~~except on wildlife management areas as provided in 321 CMR 3.01(1)(n) where the hunting hours shall be from sunrise to sunset.~~

[...]

(2) Migratory Game Bird Regulations. In accordance with the authority found in M.G.L. c. 131, §§ 5 and 63, and subject to federal law and to 321 CMR 3.02(2), the annual open seasons for the hunting and possession of certain migratory game birds are hereby adopted.

[...]

(c) Hunting Hours. The hunting hours for migratory game birds shall be from ½ hour before sunrise to sunset, except that hunting hours for the Early Canada Goose seasons shall be from ½ hour before sunrise to ½ hour after sunset, ~~and except as provided in 321 CMR 3.01(1)(n).~~

[...]

(3) Hunting of Bobcat, Fox and Coyote in Massachusetts. In accordance with the authority vested in me by M.G.L. c. 131, § 5, as amended by St. 1967, c. 802, the annual open seasons for the hunting of fox, coyote, and bobcat are hereby adopted, subject to the following:

[...]

(c) Hunting Hours. The hunting hours during each calendar day of the open season shall begin at ½ hour before sunrise and

1. for bobcat shall end at ½ hour after sunset, ~~except on wildlife management areas as provided for in 321 CMR 3.01(1)(n);~~ and
2. for fox shall end at midnight, ~~except on wildlife management areas as provided for in 321 CMR 3.01(1)(n);~~ and
3. for coyote shall end at midnight, ~~except on wildlife management areas as provided for in 321 CMR 3.01(1)(n);~~ and except during the shotgun deer season when the hunting hours shall end at ½ hour after sunset.

[...]

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(6) Hunting of Pheasants, Quail, and Ruffed Grouse. In accordance with the authority vested in me by M.G.L. c. 131, § 5, I hereby declare annual open seasons for the hunting of pheasants, bobwhite quail, and ruffed grouse, subject to the following:

[...]

(b) Open Seasons and Zones.

1. Pheasants may be hunted throughout Massachusetts from the first Saturday after Columbus Day to ~~November 30<sup>th</sup>~~ **December 31<sup>st</sup>**;
2. Ruffed grouse may be hunted throughout Massachusetts from the first Saturday after Columbus Day to November 30<sup>th</sup>;
3. Bobwhite quail may be hunted in Zones 11 through 14 from the first Saturday after Columbus Day to ~~November 30<sup>th</sup>~~ **December 31<sup>st</sup>**.

(c) Season Closure. Notwithstanding the provisions of 321 CMR 3.02(6)(b), there shall be no open season for the hunting or possession of pheasant, ruffed grouse, or bobwhite quail during the shotgun deer season.

(d) Youth Hunter Training Program. Minors between the ages of 12 and 17, who qualify and are properly enrolled with the Director may participate in a training program in the hunting of upland game birds on the first six Saturdays preceding Columbus Day, as specified annually by the Director;

(e) Falconry. Licensed falconers holding a valid hunting or sporting license and hunting with or by means of a falcon or other raptor may take ruffed grouse, pheasants, and bobwhite quail from the first Saturday after Columbus Day to March 15<sup>th</sup>, provided that said falconers shall abide by all other applicable provisions of M.G.L. c. 131, and 321 CMR while pursuing game. Falconers who hunt pheasant or quail are required to possess a Pheasant and Quail Permit per 321 CMR 3.02(6)(h).

(f) Hunting Hours. The hunting hours **for ruffed grouse** on each calendar day of the open season shall begin at ½ hour before sunrise and end ½ hour after sunset, ~~except as provided in 321 CMR 3.01(1)(n).~~ **The hunting hours for pheasant and bobwhite quail on each calendar day of the open season shall begin at sunrise and end at sunset.**

(g) Bag Limits. A person shall not kill or take more than the following bag limits:

1. two pheasants in one day, nor possess at any time more than four;
2. three ruffed grouse in one day, nor possess at any time more than six nor take more than 15 in one season;
3. four bobwhite quail in one day, nor possess at any time more than eight; provided,
4. that for properly enrolled minors participating in the upland game bird training program as specified in 321 CMR 3.02(6)(d), the daily bag limit shall be two pheasants or two bobwhite quail.

(h) Permit Requirements. A person shall not hunt, take or possess pheasants or bobwhite quail harvested within Massachusetts, unless they possess a current valid Pheasant and Quail Permit if aged 15 years or older. No permit shall be required for the hunting or possession of pheasants or quail harvested on licensed commercial shooting preserves in accordance with 321 CMR 2.05. The display of such Pheasant and Quail Permit shall be as provided in 321 CMR 2.11(6).

**(i) Permissible Hunting Methods. A person may hunt pheasant or bobwhite quail only by means of a bow and arrow as specified in 321 CMR 3.01(3) or a shotgun or muzzleloading shotgun not larger than ten gauge.**

(7) Hunting of Gray Squirrels. In accordance with the provisions of M.G.L. c. 131, § 5, I hereby declare an annual open season on gray squirrels as follows:

[...]

(b) Open Seasons and Zones.

1. Gray squirrel may be taken from the first ~~Saturday after Columbus Day~~ **Tuesday after Labor Day** to ~~January 2<sup>nd</sup>~~ **the last day of February**, in Zones ~~10-01~~ through 14, except during the shotgun deer season; ~~and~~
2. ~~from the second Monday in September through January 2<sup>nd</sup>~~; ~~in Zones 01 through 09, except during the shotgun deer season.~~

(c) Falconry. Licensed falconers holding a valid hunting or sporting license and hunting with or by means of a falcon or other raptor may take gray squirrels from the first ~~Saturday after Columbus Day~~ **Tuesday after Labor Day** to the following March 15<sup>th</sup> ~~in Zones 10 through 14 and from the second Monday in September to the following March 15 in Zones 01 through 09,~~ provided that said falconers shall abide by all other applicable provisions of M.G.L. c. 131 and 321 CMR while pursuing game.

(d) Hunting Hours. The hunting hours during each calendar day of the open season shall begin at ½ hour before sunrise and end at ½ hour after sunset, ~~except as provided in 321 CMR 3.01(1)(n).~~

(e) Bag Limits. A person shall not kill or take more than the following bag limits: five gray

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squirrels in one day nor possess at any time more than ten.

(f) Prohibitions. A person shall not take or kill a gray squirrel at any time by means of a handgun or rifle of any caliber in Zones 10 through 14, nor shall any person trap or net, or construct or set a trap or net for the purpose of taking or killing a gray squirrel, except as provided in M.G.L. c. 131, §§ 4 and 37.

(8) Hunting of Crows. There shall be an annual open season for the hunting of crows in all counties of Massachusetts subject to the following:

(a) Open Season. The open season shall be as follows: every Monday, Friday, and Saturday of each week except during the period of April 11<sup>th</sup> through June 30<sup>th</sup>, and except during the season when deer may be legally taken by means of a shotgun.

(b) Hunting Hours. The hunting hours during each calendar day of the open season shall be from ½ hour before sunrise to ½ hour after sunset ~~except as provided in 321 CMR 3.01(1)(n)~~.

(c) Permissible Hunting Methods. Crows may be hunted by means of firearms, bow and arrow and falconry, but not with the aid of or from an aircraft.

(9) Hunting of Wild Turkey in Massachusetts. In accordance with M.G.L. c. 131, § 5, the Director shall declare an annual open season on wild turkeys, subject to the following:

[...]

(d) Hunting Hours. A person shall not hunt a wild turkey on any day during the spring season except during the period from ½ hour before sunrise to 12:00 P.M. Any person participating in the mentored youth turkey hunt as defined in 321 CMR 3.02(9)(l) shall not hunt wild turkey except during the period from ½ hour before sunrise until 5:00 P.M. A person shall not hunt a wild turkey on any day during the fall season except during the period from ½ hour before sunrise to ½ hour after sunset, ~~except on wildlife management areas as provided in 321 CMR 3.01(1)(n) where the hunting hours shall be from sunrise to sunset.~~

[...]

(10) Hunting of Hares and Rabbits. In accordance with M.G.L. c. 131 § 5, the Director shall declare annual open seasons for the hunting of cottontail rabbits **and**; snowshoe hares, ~~and black-tailed jackrabbits~~, subject to the following:

[...]

(b) Open Seasons and Zones.

1. Cottontail rabbits **and snowshoe (varying) hares** may be hunted in Zones 01 through ~~12-14~~ from the first Saturday after Columbus Day to the following last day of February, ~~and~~

~~2. in Zones 13 and 14 from November 15<sup>th</sup> to the following last day of February.~~

~~3. Blacktailed jackrabbits may be hunted only in Zone 14 from November 15<sup>th</sup> to the following December 31<sup>st</sup>.~~

~~4. Snowshoe (varying) hares may be hunted in Zones 01 through 04N and 04S from the first Saturday after Columbus Day to the following last day of February, and~~

~~5. in Zones 05 through 12 from the first Saturday after Columbus Day to the following February 5<sup>th</sup> and,~~

~~6. in Zones 13 and 14 from November 15<sup>th</sup> to the following February 5<sup>th</sup>.~~

(c) Season Closure. Notwithstanding the provisions of 321 CMR 3.02(10)(b), there shall be no open season for the hunting or possession of cottontail rabbits **and**; snowshoe hare, ~~or black-tailed jackrabbit~~ during the shotgun deer season.

(d) Falconry. Licensed falconers holding a valid hunting or sporting license and hunting with or by means of a falcon or other raptor may hunt:

~~1. Cottontail-cottontail rabbits and snowshoe (varying) hare in Zones 01 - 14 in Zones 01 through 12~~ from the first Saturday after Columbus Day to the following March 15<sup>th</sup>, ~~and~~

~~2. in Zones 13 and 14 from November 15<sup>th</sup> to the following March 15<sup>th</sup>, and may hunt~~

~~3. Snowshoe (varying) hare in Zones 01 through 12 from the first Saturday after Columbus Day to the following March 15<sup>th</sup>, and~~

~~4. in Zones 13 and 14 from November 15<sup>th</sup> to the following March 15<sup>th</sup>;~~ provided, that said falconers shall abide by all other applicable provisions of M.G.L. c. 131 and 321 CMR while pursuing cottontail rabbits and snowshoe hare.

(e) Hunting Hours. The hunting hours on each calendar day of the open season shall begin at ½ hour before sunrise, ~~except as provided in 321 CMR 3.01(1)(n)~~.

(f) Bag Limits. A person shall not kill or take more than the following bag limits:

1. five cottontail rabbits in one day, nor possess at any time more than ten;

~~2. one black-tailed jackrabbit in one day, nor possess at any time more than two;~~

~~23.~~ two snowshoe hares in one day, nor possess at any time more than four.

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REGULATORY AUTHORITY

321 CMR 3.00: M.G.L. c. 131, § 5.

321 CMR 3.00: HUNTING

Section

3.01: Hunting, Generally

3.02: Hunting, Particular Game

3.03: Hunting, in Certain Areas

3.04: Falcons, Other Raptors, and Falconry

3.05: Hunting, Fishing, Trapping and Taking of Reptiles and Amphibians in All the Counties of the Commonwealth

3.01: Hunting, Generally

(1) Wildlife Management Areas.

[...]

(m) *Reserved.*

(n) *Reserved.*

3.01: continued

3.02: Hunting, Particular Game

(1) Hunting of Bear. In accordance with the authority vested in M.G.L. c. 131, § 5, an annual open season for the hunting of black bear in Massachusetts is established, subject to the following rules and regulations:

[...]

(c) Hunting Hours: A person shall not hunt black bear on any day during the open season except during the period between ½ hour before sunrise and ½ hour after sunset.

[...]

(2) Migratory Game Bird Regulations. In accordance with the authority found in M.G.L. c. 131, §§ 5 and 63, and subject to federal law and to 321 CMR 3.02(2), the annual open seasons for the hunting and possession of certain migratory game birds are hereby adopted.

[...]

(c) Hunting Hours. The hunting hours for migratory game birds shall be from ½ hour before sunrise to sunset, except that hunting hours for the Early Canada Goose seasons shall be from ½ hour before sunrise to ½ hour after sunset.

[...]

(3) Hunting of Bobcat, Fox and Coyote in Massachusetts. In accordance with the authority vested in me by M.G.L. c. 131, § 5, as amended by St. 1967, c. 802, the annual open seasons for the hunting of fox, coyote, and bobcat are hereby adopted, subject to the following:

[...]

(c) Hunting Hours. The hunting hours during each calendar day of the open season shall begin at ½ hour before sunrise and

1. for bobcat shall end at ½ hour after sunset; and
2. for fox shall end at midnight; and
3. for coyote shall end at midnight, and except during the shotgun deer season when the hunting hours shall end at ½ hour after sunset.

[...]

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(6) Hunting of Pheasants, Quail, and Ruffed Grouse. In accordance with the authority vested in me by M.G.L. c. 131, § 5, I hereby declare annual open seasons for the hunting of pheasants, bobwhite quail, and ruffed grouse, subject to the following:

[...]

(b) Open Seasons and Zones.

1. Pheasants may be hunted throughout Massachusetts from the first Saturday after Columbus Day to December 31<sup>st</sup>;
2. Ruffed grouse may be hunted throughout Massachusetts from the first Saturday after Columbus Day to November 30<sup>th</sup>;
3. Bobwhite quail may be hunted in Zones 11 through 14 from the first Saturday after Columbus Day to December 31<sup>st</sup>.

(c) Season Closure. Notwithstanding the provisions of 321 CMR 3.02(6)(b), there shall be no open season for the hunting or possession of pheasant, ruffed grouse, or bobwhite quail during the shotgun deer season.

(d) Youth Hunter Training Program. Minors between the ages of 12 and 17, who qualify and are properly enrolled with the Director may participate in a training program in the hunting of upland game birds on the first six Saturdays preceding Columbus Day, as specified annually by the Director;

(e) Falconry. Licensed falconers holding a valid hunting or sporting license and hunting with or by means of a falcon or other raptor may take ruffed grouse, pheasants, and bobwhite quail from the first Saturday after Columbus Day to March 15<sup>th</sup>, provided that said falconers shall abide by all other applicable provisions of M.G.L. c. 131, and 321 CMR while pursuing game. Falconers who hunt pheasant or quail are required to possess a Pheasant and Quail Permit per 321 CMR 3.02(6)(h).

(f) Hunting Hours. The hunting hours for ruffed grouse on each calendar day of the open season shall begin at ½ hour before sunrise and end ½ hour after sunset. The hunting hours for pheasant and bobwhite quail on each calendar day of the open season shall begin at sunrise and end at sunset.

(g) Bag Limits. A person shall not kill or take more than the following bag limits:

1. two pheasants in one day, nor possess at any time more than four;
2. three ruffed grouse in one day, nor possess at any time more than six nor take more than 15 in one season;
3. four bobwhite quail in one day, nor possess at any time more than eight; provided,
4. that for properly enrolled minors participating in the upland game bird training program as specified in 321 CMR 3.02(6)(d), the daily bag limit shall be two pheasants or two bobwhite quail.

(h) Permit Requirements. A person shall not hunt, take or possess pheasants or bobwhite quail harvested within Massachusetts, unless they possess a current valid Pheasant and Quail Permit if aged 15 years or older. No permit shall be required for the hunting or possession of pheasants or quail harvested on licensed commercial shooting preserves in accordance with 321 CMR 2.05. The display of such Pheasant and Quail Permit shall be as provided in 321 CMR 2.11(6).

(i) Permissible Hunting Methods. A person may hunt pheasant or bobwhite quail only by means of a bow and arrow as specified in 321 CMR 3.01(3) or a shotgun or muzzleloading shotgun not larger than ten gauge.

(7) Hunting of Gray Squirrels. In accordance with the provisions of M.G.L. c. 131, § 5, I hereby declare an annual open season on gray squirrels as follows:

[...]

(b) Open Seasons and Zones.

1. Gray squirrel may be taken from the first Tuesday after Labor Day to the last day of February, in Zones 01 through 14, except during the shotgun deer season.

(c) Falconry. Licensed falconers holding a valid hunting or sporting license and hunting with or by means of a falcon or other raptor may take gray squirrels from the first Tuesday after Labor Day to the following March 15<sup>th</sup>, provided that said falconers shall abide by all other applicable provisions of M.G.L. c. 131 and 321 CMR while pursuing game.

(d) Hunting Hours. The hunting hours during each calendar day of the open season shall begin at ½ hour before sunrise and end at ½ hour after sunset.

(e) Bag Limits. A person shall not kill or take more than the following bag limits: five gray squirrels in one day nor possess at any time more than ten.

(f) Prohibitions. A person shall not take or kill a gray squirrel at any time by means of a handgun or rifle of any caliber in Zones 10 through 14, nor shall any person trap or net, or construct or set a trap or net for the purpose of taking or killing a gray squirrel, except as provided in M.G.L. c. 131, §§ 4 and 37.

(8) Hunting of Crows. There shall be an annual open season for the hunting of crows in all counties

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of Massachusetts subject to the following:

- (a) Open Season. The open season shall be as follows: every Monday, Friday, and Saturday of each week except during the period of April 11<sup>th</sup> through June 30<sup>th</sup>, and except during the season when deer may be legally taken by means of a shotgun.
- (b) Hunting Hours. The hunting hours during each calendar day of the open season shall be from ½ hour before sunrise to ½ hour after sunset.
- (c) Permissible Hunting Methods. Crows may be hunted by means of firearms, bow and arrow and falconry, but not with the aid of or from an aircraft.

(9) Hunting of Wild Turkey in Massachusetts. In accordance with M.G.L. c. 131, § 5, the Director shall declare an annual open season on wild turkeys, subject to the following:

[...]

- (d) Hunting Hours. A person shall not hunt a wild turkey on any day during the spring season except during the period from ½ hour before sunrise to 12:00 P.M. Any person participating in the mentored youth turkey hunt as defined in 321 CMR 3.02(9)(l) shall not hunt wild turkey except during the period from ½ hour before sunrise until 5:00 P.M. A person shall not hunt a wild turkey on any day during the fall season except during the period from ½ hour before sunrise to ½ hour after sunset.

[...]

(10) Hunting of Hares and Rabbits. In accordance with M.G.L. c. 131 § 5, the Director shall declare annual open seasons for the hunting of cottontail rabbits and snowshoe hare, subject to the following:

[...]

- (b) Open Seasons and Zones.
  - 1. Cottontail rabbits and snowshoe hare may be hunted in Zones 01 through 14 from the first Saturday after Columbus Day to the following last day of February.
- (c) Season Closure. Notwithstanding the provisions of 321 CMR 3.02(10)(b), there shall be no open season for the hunting or possession of cottontail rabbits and snowshoe hare during the shotgun deer season.
- (d) Falconry. Licensed falconers holding a valid hunting or sporting license and hunting with or by means of a falcon or other raptor may hunt cottontail rabbits and snowshoe hare in Zones 01 – 14 from the first Saturday after Columbus Day to the following March 15<sup>th</sup>, provided, that said falconers shall abide by all other applicable provisions of M.G.L. c. 131 and 321 CMR while pursuing cottontail rabbits and snowshoe hare.
- (e) Hunting Hours. The hunting hours on each calendar day of the open season shall begin at ½ hour before sunrise.
- (f) Bag Limits. A person shall not kill or take more than the following bag limits:
  - 1. five cottontail rabbits in one day, nor possess at any time more than ten;
  - 2. two snowshoe hare in one day, nor possess at any time more than four.

REGULATORY AUTHORITY

321 CMR 3.00: M.G.L. c. 131, § 5.