



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 3.02

In accordance with the Mass. Gen. Laws, Ch. 131, Sec. 5, and Ch. 30A, Sec. 2, NOTICE is hereby given that the Division of Fisheries and Wildlife will hold a public hearing on Wednesday, April 26, 2023, 1:30 p.m., at the S.O. Conte Anadromous Fish Research Laboratory, 1 Migratory Way, Turners Falls, MA, on proposed regulatory amendments to 321 CMR 3.02 Migratory Game Bird Regulations in Massachusetts.

The proposed regulatory amendments relative to 321 CMR 3.02 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 Tuesday, April 25, 2023, 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: DIVISION OF FISHERIES AND WILDLIFE

321 CMR 3.02(2) Migratory Game Bird Regulations

(b) Open seasons. The dates of the open seasons for the various species herein mentioned, the daily bag limits, possession limits, and related matters are shown in Table 1.

TABLE 1. OPEN SEASONS, ALL DATES INCLUSIVE.

Species	Open Season	Daily Bag	Possession Limit
Sora Rail	Sep. 1 - Nov. 7	5	15
Virginia Rail	Sep. 1 - Nov. 7	10	30
Snipe	Sep. 1 - Dec. 16	8	24
Woodcock	Oct. 1 ² - Nov. 22	3	9
Ducks ^A Berkshire	Oct. 9 ¹⁰ - Nov. 26 ²⁵ Dec. 19 ¹¹ - Jan ^{Dec. 7} 30	6* 6*	18* 18*
Ducks ^A Central	Oct. 10 ¹⁴ - Nov. 26 ²⁵ Dec. 27 ¹² - Jan. 16	6* 6*	18* 18*
Ducks ^A Coastal	Oct. 15 ¹⁴ - Oct. 22 ²¹ Dec ^{Nov. 1} 28 ³ - Jan. 31 ²⁷ 0	6* 6 ^{**}	18* 18 ^{**}
American Coot	Same Dates as Ducks	15	45
Mergansers	Same Dates as Ducks	5*	15*
Geese Berkshire (except blue & snow)	Oct. 10 - Nov. 12 ¹³ 25 Dec. 11 - Dec. 14	3 ¹	9 ³
Geese Central (except blue & snow)	Oct. 10 ¹⁴ - Nov. 26 ²⁵ Dec. 27 ¹² - Jan. 16	2 2	6 6
Geese Coastal (except blue & snow)	Oct. 15 ¹⁴ - Oct. 22 ²¹ Dec ^{Nov. 1} 28 ⁹ - Jan. 31 ²⁷ 0	2 2	6 6
Early Canada Goose ^B (Statewide)	Sep. 2 ¹ - Sep. 24 ²²	15	45
Late Canada Goose (Central)	Jan. 18 ¹⁵ - Feb. 15 ¹²	5	15
Late Canada Goose (North Coastal)	Feb ^{Jan. 1} 29 - Feb. 15	5	15
Late Canada Goose (Berkshire)	Dec. 15 - Jan. 27 ³⁰ Feb. 15	5	15
Snow & Blue Goose (Berkshire)	Same Dates as Ducks	15	45
Snow & Blue Goose (Central)	Same Dates as Ducks	15	45
Snow & Blue Goose (Coastal)	Same Dates as Canada Goose	15	45
Late Snow & Blue Goose (Central)	Same as Late Canada Goose	15	45
Late Snow & Blue Goose (North Coastal)	Same as Late Canada Goose	15	45
Sea Ducks ^A (Scoter, Eider, Long-tailed duck)	Same Dates as Ducks	4*	12*
Brant (Coastal Only)	Dec ^{Nov. 1} 23 - Jan. 27 ¹⁹	2 ¹	6 ³
Falconry (Ducks and Coot only, no Geese)	Oct. 1 - Feb. 2	3*	9*
Youth Waterfowl Hunt ^C (Ducks, Coots, Mergansers and Geese only)	Oct ^{Sep. 8} 23 & Feb ^{Oct. 4} 7	6**	18**
Veterans and Active Military Personnel Waterfowl Hunt (Ducks, Coots, Mergansers and Geese only) ^C	Oct ^{Sep. 8} 23 & Feb ^{Jan. 2} 4 9	6**	18**

* Singly or in the aggregate

** Singly or in the aggregate. ~~Scaup bag limit of 2 (6 possession) between January 9 – 27, 2024. For Feb. 4 only, the daily goose limit is 5 (15 possession) for Berkshire, Central, and North Coastal Zones, and 2 (6 possession) for the South Coastal Zone.~~

3.02: continued

A. The daily bag for ducks may contain no more than six ducks (no more than four of which may be sea ducks), unless additionally restricted as indicated below.

<u>Species</u>	<u>Daily Bag</u>	<u>Possession Limit</u>
American Black Duck	2	6
Redhead	2	6
Canvasback	2	6
Mallard	4 (only 2 females)	6-12 (only 3-6 females)
Scaup	1	3
Scaup (coastal zone Dec. 31 - Jan. 27)	2	6
Fulvous Whistling Duck	1	3
Mottled Duck	1	3
Wood Duck	3	9
Northern Pintail	1	3
Scoter	3	9
Long-tailed Duck	3	9
Eider	3 (only 1 female)	9 (only 3 females)
Harlequin	0 (Season Closed)	0 (Season Closed)

B. For Early Canada Goose season only, hunting hours are ½ hour before sunrise to ½ hour after sunset.

C. On ~~October 23~~, ~~2022-2023~~ and ~~January 2~~, ~~2023-2024~~, there shall be a veterans and active military personnel waterfowl hunt in all counties of the state for Veterans (as defined in 38 USC, § 101) and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than for training), may participate. All hunters shall possess a Massachusetts Hunting or Sporting License, a Massachusetts Waterfowl Stamp, and Federal Migratory Bird Hunting and Conservation Stamp (also known as Federal Duck Stamp). On ~~October 8~~, ~~September 23~~, ~~2022-2023~~ and ~~February 4~~, ~~October 7~~, 2023, there shall be a youth waterfowl hunt in all counties of the state for minors 12 through 17 years of age only. During the veterans and active military personnel and youth waterfowl hunts, such participants may hunt ducks, geese, mergansers, and coot during the period from ½ hour before sunrise to sunset, with a bag limit of six, possession 18, singly or in the aggregate, subject to the species restrictions in 321 CMR 3.02(2): *Table 1A*. During the youth waterfowl hunt all such minors must be accompanied by an adult licensed to hunt in Massachusetts and who possesses a Massachusetts Waterfowl Stamp. No adult may be accompanied by more than one minor, and no more than one firearm may be carried. The licensed adult may not hunt but may carry the minor's firearm when unloaded and cased. During this youth waterfowl hunt, minors 12 through 14 years of age shall not be required to possess a hunting or sporting license and a Massachusetts and Federal Migratory Bird Hunting and Conservation stamp. Minors 15 years of age shall possess a Massachusetts hunting or sporting license and a Massachusetts waterfowl stamp but need not possess a Federal Migratory Bird Hunting and Conservation stamp. Minors 16 and 17 years old shall possess a Massachusetts hunting or sporting license, a Massachusetts waterfowl stamp, and a Federal Migratory Bird Hunting and Conservation stamp. All minors shall otherwise conform to all provisions of M.G.L. c. 131 and 321 CMR 3.02(2) not excepted or specified in 321 CMR 3.02(2)(b): *Table 1C*.

(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.

(d) Falconry. Notwithstanding the dates of the open seasons and the bag and possession limits as prescribed in 321 CMR 3.02(2)(b) and Table 1 thereof, ducks and coots may be hunted or taken with falcons by licensed falconers from October 1, ~~2022-2023~~ through February 2, ~~2023-2024~~. The bag limits for such falconry hunting shall be three birds daily or nine in possession, singly or in the aggregate, subject to the limitations prescribed in 321 CMR 3.02(2)(b), Table 1, footnotes A through C. Hunting with falconry on Sundays is prohibited.

(e) Restrictions.

1. Migratory game birds shall not be hunted by the aid of salt, bait, grain of any kind, or other feed or means similarly used to lure, attract, or entice such birds to, on, or over the area where hunters are hunting or attempting to hunt or take them.
2. Migratory game birds mentioned in 321 CMR 3.02(2) may be hunted only with bow and arrow or with a shotgun not larger than ten gauge, fired from the shoulder, or by falconry. Automatic loading or hand-operated repeating shotguns capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal, plastic or wooden filler incapable of removal without disassembling the gun so as to reduce the capacity of the said gun to not more than three shells at one time in the magazine and chamber combined, shall not be used in the hunting of migratory game birds.
3. A person shall not hunt migratory game birds by means or aid of any motor-driven land, water or air conveyance or any sailboat used for the purpose of or resulting in the concentrating, driving, rallying or stirring up of such birds either for himself or for others.
4. A person shall not hunt migratory game birds from, or by means of, a sinkbox (battery), live duck or live goose decoys or domesticated fowl or any kind.
5. A person shall not kill or cripple any migratory game bird pursuant to 321 CMR 3.02(2) without making a reasonable effort to retrieve the bird and include it in his daily bag.

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321 CMR 3.02(2) Migratory Game Bird Regulations

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American Coot	Same Dates as Ducks	15	45
Mergansers	Same Dates as Ducks	5*	15*
Geese Berkshire (except blue & snow)	Oct. 10 - Nov. 25 Dec. 11 – Dec. 14	3	9
Geese Central (except blue & snow)	Oct. 14 - Nov. 25 Dec. 12 - Jan. 6	2 2	6 6
Geese Coastal (except blue & snow)	Oct. 14 - Oct. 21 Nov. 29 - Jan. 27	2 2	6 6
Early Canada Goose ^B (Statewide)	Sep. 1 - Sep. 22	15	45
Late Canada Goose (Central)	Jan. 15- Feb. 12	5	15
Late Canada Goose (North Coastal)	Jan. 29- Feb. 15	5	15
Late Canada Goose (Berkshire)	Dec. 15 – Jan. 30	5	15
Snow & Blue Goose (Berkshire)	Same Dates as Ducks	15	45
Snow & Blue Goose (Central)	Same Dates as Ducks	15	45
Snow & Blue Goose (Coastal)	Same Dates as Canada Goose	15	45
Late Snow & Blue Goose (Central)	Same as Late Canada Goose	15	45
Late Snow & Blue Goose (North Coastal)	Same as Late Canada Goose	15	45
Sea Ducks ^A (Scoter, Eider, Long-tailed duck)	Same Dates as Ducks	4*	12*
Brant (Coastal Only)	Nov. 28 - Jan. 1	1	3
Falconry (Ducks and Coot only, no Geese)	Oct. 1 - Feb. 2	3*	9*
Youth Waterfowl Hunt ^C (Ducks, Coots, Mergansers and Geese only)	Sep. 23 & Oct. 7	6*	18*
Veterans and Active Military Personnel Waterfowl Hunt (Ducks, Coots, Mergansers and Geese only) ^C	Sep. 23 & Jan. 29	6*	18*

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3.02: continued

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Redhead	2	6
Canvasback	2	6
Mallard	4 (only 2 females)	12 (only 6 females)
Scaup	1	3
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Fulvous Whistling Duck	1	3
Mottled Duck	1	3
Wood Duck	3	9
Northern Pintail	1	3
Scoter	3	9
Long-tailed Duck	3	9
Eider	3 (only 1 female)	9 (only 3 females)
Harlequin	0 (Season Closed)	0 (Season Closed)

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