



## DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581

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MASS.GOV/MASSWILDLIFE

### PUBLIC HEARING NOTICE 321 CMR 3.02(2)

In accordance with the Massachusetts General Laws, Chapter 131, Sections 5 and 63, and Chapter 30A, Section 2, NOTICE is hereby given of a public hearing to be held on Thursday, April 23, 2020, at 11:00 a.m., to establish rules and regulations relative to the 2020-2021 migratory game bird seasons.

The proposed rules and regulations relative to the 2020-2021 migratory game bird seasons are appended to this notice and posted on the MassWildlife website at <https://www.mass.gov/service-details/fisheries-and-wildlife-board-public-hearings-on-proposed-regulatory-amendments>, 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 hearing. Written comments may be submitted prior to the hearing via email to [susan.sacco@mass.gov](mailto:susan.sacco@mass.gov), Subject: Fisheries and Wildlife Board, or via the U.S.P.S. to the Fisheries and Wildlife Board, MassWildlife Field Headquarters, 1 Rabbit Hill Road, Westborough, MA 01581.

Due to the migratory game bird season filing requirements of the U.S. Fish and Wildlife Service, the Fisheries and Wildlife Board must vote to approve the 2020-2021 migratory bird seasons at the close of the hearing. Therefore, please note: **There will be no written comment period after this public hearing.**

Pursuant to the March 10, 2020, order suspending certain measures of the open meeting law, M.G.L. Ch. 30A, § 20, the Commonwealth of Massachusetts State of Emergency has been extended by the Governor as of March 31, 2020, until at least May 4, 2020, so this public hearing will be held virtually via a telephone conference call.

Instructions for remotely participating in the public hearing are as follows, and are posted at: <https://www.mass.gov/service-details/fisheries-and-wildlife-board-public-hearings-on-proposed-regulatory-amendments>.

Dial-in Number: 1-605-475-5910 (data or phone charges may apply)

Access Code: 802029 (enter when prompted by the recording)

Interested parties may also email [susan.sacco@mass.gov](mailto:susan.sacco@mass.gov) to be added to the Board's notification list and receive via email all meeting and public-hearing notices and approved minutes of the Board's meetings.

If the State of Emergency and the suspension of certain measures of the open meeting law have been rescinded, the public hearing will be held on the same date and at the same time at the Division of Fisheries and Wildlife's Field Headquarters, Richard Cronin Building, 1 Rabbit Hill Road, off North Drive, Westborough, Massachusetts.

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

The Massachusetts Division of Fisheries and Wildlife (MassWildlife) is proposing the following regulations for the hunting of migratory game birds (321 CMR 3.02(2)). MassWildlife is recommending adding 2 veterans and active military personnel waterfowl hunt days, which would consist of 2 dedicated days for veterans and active military personnel to hunt waterfowl in Massachusetts. No other significant changes from last season are being proposed. Season dates are set using conservation and population management science as well as hunter preference data.

These proposed regulations are in accordance with the United States Fish and Wildlife Services (USFWS) federal frameworks for migratory bird hunting. The USFWS establishes frameworks for dates, season lengths, and bag limits based on migratory game bird population status and habitat conditions. MassWildlife proposes seasons within those frameworks based on state-specific considerations including local population status, state-specific regulations, and hunter preferences. MassWildlife recently surveyed a sample of waterfowl hunters. Responses from the survey were considered when drafting season dates for each waterfowl hunting zone.

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 - Nov. 21                                 | 3         | 9                |
| Ducks <sup>A</sup> Berkshire                                   | Oct. 12 - Nov. 28<br>Dec. 7 - Dec. 26            | 6*<br>6*  | 18*<br>18*       |
| Ducks <sup>A</sup> Central                                     | Oct. 13 - Nov. 28<br>Dec. 14 - Jan. 4            | 6*<br>6*  | 18*<br>18*       |
| Ducks <sup>A</sup> Coastal                                     | Oct. 16 - Oct. 24<br>Nov. 26 - Jan. 25           | 6*<br>6*  | 18*<br>18*       |
| American Coot  | Same Dates as Ducks                              | 15        | 45               |
| Mergansers <sup>B</sup>  | Same Dates as Ducks                              | 5*        | 15*              |
| Geese Berkshire<br>(except blue & snow)                        | Oct. 12 - Nov. 14                                | 2         | 6                |
| Geese Central<br>(except blue & snow)                          | Oct. 13 - Nov. 28<br>Dec. 14 - Jan. 4            | 2<br>2    | 6<br>6           |
| Geese Coastal<br>(except blue & snow)                          | Oct. 16 - Oct. 24<br>Nov. 26 - Jan. 25           | 2<br>2    | 6<br>6           |
| Early Canada Goose <sup>C</sup><br>(Statewide)                 | Sep. 8 - Sep. 25<br><del>Sep. 23 - Sep. 25</del> | 15        | 45               |
| Late Canada Goose (Central)                                    | Jan. 15 - Feb. 15                                | 5         | 15               |
| Late Canada Goose<br>(North Coastal)                           | Jan. 26 - Feb. 15                                | 5         | 15               |
| Snow & Blue Goose  | Same Dates as Ducks                              | 15        | 45               |
| Late Snow & Blue Goose<br>(Central)                            | Same as Late Canada<br>Goose                     | 15        | 45               |
| Late Snow & Blue Goose<br>(North Coastal)                      | Same as Late Canada<br>Goose                     | 15        | 45               |
| Sea Ducks <sup>D</sup><br>(Scoter, Eider, Long-tailed<br>duck) | Nov. 17 - Jan. 25                                | 5**       | 15**             |
| Brant (Coastal Only)   | Nov. 17 - Jan. 13                                | 2         | 6                |
| Falconry (Ducks and Coot<br>only, no Geese)                    | Oct. 8 - Feb. 8                                  | 3*        | 9*               |

|  |                   |    |     |
|--|-------------------|----|-----|
| Youth Waterfowl Hunt <sup>E</sup><br>(Ducks, Coots, Mergansers<br>and Geese Only)                                      | Sep. 26 & Oct. 10 | 6* | 18* |
| Veterans and Active Military<br>Personnel Waterfowl Hunt<br>(Ducks, Coots, Mergansers,<br>and Geese only) <sup>E</sup> | Oct. 3 & Jan. 30  | 6* | 18* |

\* Singly or in the aggregate

\*\*In Sea duck zone (Count as regular ducks in all other zones): five singly or in the aggregate, but no more than four scoter, four eider (one female), four long-tailed duck (oldsquaw) in the daily bag. 15 in possession, but no more than twelve scoter, twelve eider (three females), twelve long-tailed ducks.

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- A. The daily bag for ducks may contain no more than 6 ducks, and no more than 4 of any species that are not additionally restricted as indicated below.

| <b>Species</b>                 | <b>Daily Bag</b>  | <b>Possession Limit</b> |
|--------------------------------|-------------------|-------------------------|
| American Black Duck            | 2                 | 6                       |
| Hooded Merganser               | 2                 | 6                       |
| Redhead                        | 2                 | 6                       |
| Canvasback                     | 2                 | 6                       |
| Mallard                        | 2 (only 1 female) | 6 (only 3 females)      |
| Scaup                          | 1                 | 3                       |
| Scaup (coastal zone Jan. 4-25) | 2                 | 6                       |
| Fulvous Whistling Duck         | 1                 | 3                       |
| Mottled Duck                   | 1                 | 3                       |
| Wood Duck                      | 3                 | 9                       |
| Northern Pintail               | 1                 | 3                       |
| Scoter <sup>D</sup>            | 4                 | 12                      |
| Long-tailed Duck <sup>D</sup>  | 4                 | 12                      |
| Eider <sup>D</sup>             | 4 (only 1 female) | 12 (only 3 females)     |
| All other duck species         | 4                 | 12                      |

- B. Daily bag of mergansers may not include more than 2 Hooded Mergansers; no more than 6 Hooded Mergansers in possession.
- C. For Early Canada Goose season only, hunting hours are ½ hour before sunrise to ½ hour after sunset.
- D. Scoter, Eider, and Long-tailed duck shall be hunted only in coastal waters and rivers and streams seaward of the first upstream bridge during the open sea duck season. Any other sea ducks taken in the Central and Berkshire zones shall be counted toward the regular daily duck bag.
- E. On October 3, 2020 and January 30, 2021, there shall be a veterans and active military personnel waterfowl hunt in all counties of the state for Veterans (as defined in section 101 of title 38, United States Code) 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 September 26, 2020 and October 10, 2020, there shall be a youth waterfowl hunt in all counties of the state for minors aged 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 and 1B. 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 aged 12 through 14 years shall not be required to possess a hunting or sporting license and a Massachusetts and Federal Migratory Bird Hunting and Conservation stamp. Minors aged 15 years 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 aged 16-17 years 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 1E.

Regulatory Authority: M.G.L. c. 131, §§ 5 and 63.

Last Revised: 5/3/19

The Massachusetts Division of Fisheries and Wildlife (MassWildlife) is proposing the following regulations for the hunting of migratory game birds (321 CMR 3.02(2)). MassWildlife is recommending adding 2 veterans and active military personnel waterfowl hunt days, which would consist of 2 dedicated days for veterans and active military personnel to hunt waterfowl in Massachusetts. No other significant changes from last season are being proposed. Season dates are set using conservation and population management science as well as hunter preference data.

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TABLE 1. OPEN SEASONS, ALL DATES INCLUSIVE.

| Species  | Open Season   | Daily Bag | Possession Limit |
|--|---|-----------|------------------|
| Sora Rail  | Sep. <del>2</del> <u>1</u> - Nov. 7   | 5         | 15               |
| Virginia Rail  | Sep. <del>2</del> <u>1</u> - Nov. 7   | 10        | 30               |
| Snipe  | Sep. <del>2</del> <u>1</u> - Dec. 16  | 8         | 24               |
| Woodcock   | Oct. <del>1</del> <u>3</u> - Nov. <del>2</del> <u>13</u>  | 3         | 9                |
| Ducks <sup>A</sup> Berkshire                                   | Oct. 12 - Nov. <del>30</del> <u>28</u><br>Dec. <del>10</del> <u>7</u> - Dec. <del>28</del> <u>26</u>  | 6*<br>6*  | 18*<br>18*       |
| Ducks <sup>A</sup> Central                                     | Oct. <del>14</del> <u>13</u> - Nov. <del>30</del> <u>28</u><br>Dec. <del>16</del> <u>14</u> - Jan. 4  | 6*<br>6*  | 18*<br>18*       |
| Ducks <sup>A</sup> Coastal                                     | Oct. <del>11</del> <u>16</u> - Oct. <del>19</del> <u>24</u><br>Nov. <del>27</del> <u>26</u> - Jan. 25 | 6*<br>6*  | 18*<br>18*       |
| American Coot  | Same Dates as Ducks   | 15        | 45               |
| Mergansers <sup>B</sup>  | Same Dates as Ducks   | 5*        | 15*              |
| Geese Berkshire<br>(except blue & snow)                        | Oct. 12 - Nov. <del>15</del> <u>14</u>  | 2         | 6                |
| Geese Central<br>(except blue & snow)                          | Oct. <del>14</del> <u>13</u> - Nov. <del>30</del> <u>28</u><br>Dec. <del>16</del> <u>14</u> - Jan. 4  | 2<br>2    | 6<br>6           |
| Geese Coastal<br>(except blue & snow)                          | Oct. <del>11</del> <u>16</u> - Oct. <del>19</del> <u>24</u><br>Nov. <del>27</del> <u>26</u> - Jan. 25 | 2<br>2    | 6<br>6           |
| Early Canada Goose <sup>C</sup><br>(Statewide)                 | Sep. <del>3</del> <u>8</u> - Sep. <del>20</del> <u>25</u><br><del>Sep. 23 - Sep. 25</del>             | 15        | 45               |
| Late Canada Goose (Central)                                    | Jan. <del>18</del> <u>15</u> - Feb. 15  | 5         | 15               |
| Late Canada Goose<br>(North Coastal)                           | Jan. <del>27</del> <u>26</u> - Feb. 15  | 5         | 15               |
| Snow & Blue Goose  | Same Dates as Ducks   | 15        | 45               |
| Late Snow & Blue Goose<br>(Central)                            | Same as Late Canada<br>Goose  | 15        | 45               |
| Late Snow & Blue Goose<br>(North Coastal)                      | Same as Late Canada<br>Goose  | 15        | 45               |
| Sea Ducks <sup>D</sup><br>(Scoter, Eider, Long-tailed<br>duck) | Nov. <del>18</del> <u>17</u> - Jan. 25  | 5**       | 15**             |
| Brant (Coastal Only)   | Nov. <del>18</del> <u>17</u> - <del>Dec</del> <u>Jan.</u><br><del>21</del> <u>13</u>                  | 2         | 6                |

321 CMR: DIVISION OF FISHERIES AND WILDLIFE

|  |   |                    |                     |
|--|---|--------------------|---------------------|
| Falconry (Ducks and Coot only, no Geese)   | Oct. 8 - Feb. 8   | 3*                 | 9*                  |
| Youth Waterfowl Hunt <sup>E</sup><br>(Ducks, Coots, Mergansers and Geese Only)   | Sep. <del>21-26</del> & Oct. <del>5</del> <sup>10</sup> | 6*                 | 18*                 |
| <a href="#">Veterans and Active Military Personnel Waterfowl Hunt (Ducks, Coots, Mergansers, and Geese only)<sup>E</sup></a> | <a href="#">Oct. 3 &amp; Jan. 30</a>                    | <a href="#">6*</a> | <a href="#">18*</a> |

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\*\*In Sea duck zone (Count as regular ducks in all other zones): five singly or in the aggregate, but no more than four scoter, four eider (one female), four long-tailed duck (oldsquaw) in the daily bag. 15 in possession, but no more than twelve scoter, twelve eider (three females), twelve long-tailed ducks.

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- E. On [October 3, 2020 and January 30, 2021](#), there shall be a [veterans and active military personnel waterfowl hunt in all counties of the state for Veterans](#) (as defined in section 101 of title 38, United States Code) 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 September ~~2126~~, ~~2019–2020~~ and October ~~510~~, ~~20192020~~, there shall be a youth waterfowl hunt in all counties of the state for minors aged 12 through 17 years of age only. During ~~theis veterans and active military personnel, and~~ youth waterfowl hunts, such ~~participantsminors~~ 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 and 1B. [During the youth waterfowl hunt](#) All such minors must be accompanied by an adult licensed to hunt in Massachusetts and who possesses a Massachusetts ~~W~~waterfowl ~~S~~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 aged 12 through 14 years shall not be required to possess a hunting or sporting license and a Massachusetts and Federal [Migratory Bird Hunting and Conservation–waterfowl](#) stamp. Minors aged 15 years shall possess a Massachusetts hunting or sporting license and a Massachusetts waterfowl stamp but need not possess a Federal [Migratory Bird Hunting and Conservationwaterfowl](#) stamp. Minors aged 16-17 years shall possess a Massachusetts hunting or sporting license, a Massachusetts waterfowl stamp, and a Federal [Migratory Bird Hunting and Conservation–waterfowl](#) 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 1E.