



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 10.90

In accordance with the Mass. Gen. Laws, Chapter 131A, Section 4, and Ch. 30A, Sec. 2, NOTICE is hereby given that the Division of Fisheries and Wildlife will hold an online public hearing on Tuesday, April 9, 2024, at 1:00 p.m., via a Zoom video webinar with the Hearing Officer, MassWildlife staff, and the public joining via computer or phone line. The proposal is to amend the list of species of animals and plants protected by the Massachusetts Endangered Species Act. Interested persons can participate in the hearing and provide oral comments in the webinar. Attendees can enter and exit the webinar at any time.

The proposed regulatory amendments relative to 321 CMR 10.90 and the instructions for how to join the webinar are posted at [Mass.gov/MassWildlife/Hearings](https://www.mass.gov/MassWildlife/Hearings) so that interested persons can review the proposals and provide written comments prior to the hearing and oral comments during the public-comment portion of the online hearing. The instructions to join the webinar are also contained in the draft regulations document posted on the public hearings page above. Written public comments will be accepted for 2 weeks after the hearing, until Tuesday, April 23, 2024, at 5:00 p.m.

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

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

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## Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

**CMR No: 321 CMR 10.90**

**Estimate of the Number of Small Businesses Impacted by the Regulation: 0**

**Select Yes or No and Briefly Explain**

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?