

## **CONCISE EXPLANATORY STATEMENT**

In accordance with the Administrative Procedures Act, Section §42-35-2.6 of the General Laws of Rhode Island, following is a concise explanatory statement for the below identified regulation, which was subject to a public hearing on September 10, 2018.

**AGENCY:** Department of Environmental Management

**DIVISION:** Marine Fisheries

**RULE IDENTIFIER:** 250-RICR-90-00-4

**RULE TITLE:** PART 4 – Shellfish

**REASON FOR RULEMAKING:** See summary provided at the time of noticing.

**REASONS FOR NOT ACCEPTING ARGUMENTS MADE IN TESTIMONY AND PUBLIC COMMENTS):** N/A

**CHANGE TO TEXT FROM PROPOSED TO FINAL RULE (identify any changes between the text of the rule as proposed and the text of the final rule and explain why these changes were made to the final text.):**

1. Changed percentage of routine gear loss tags from 10% to 15% consistent with public comments and the recommendation of the RI Marine Fisheries Council.
2. Changed valid dates of tags consistent with public comments and the recommendation of the RI Marine Fisheries Council.
3. Several non-substantive corrections identified by the Sec. of State's office.
4. Final annotated rule with track changes provided

**REGULATORY ANALYSIS:** In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.