

## 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.

**AGENCY:** Department of Environmental Management

**DIVISION:** Marine Fisheries

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

**RULE TITLE:** PART 3 – 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):** Proposed/noticed rule of 2 9/32” for whelk minimum size changed to 2 1/4” consistent with public comment and the recommendation of the RI Marine Fisheries Council. Final annotated rule provided as additional documentation in final filing.

**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.