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 TITLE: Part 23 – Aggregate Program for Summer Flounder and Black Sea Bass

RULE IDENTIFIER: 250-RICR-90-00-23

REASON FOR RULEMAKING: See summary provided in the public notice.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE: N/A

TESTIMONY AND COMMENTS: Comments that were submitted are provided as a separate attachment included in the filing and public record.

THE AGENCY'S REASONS FOR NOT ACCEPTING ARGUMENTS MADE IN TESTIMONY AND COMMENTS: In instances where several proposals were provided for consideration, and comments were provided both in support, or opposed, or in support of an alternate proposal not specifically noticed, public comments provided as well as the recommendation of the RI Marine Fisheries Council in support of the final rule adopted was considered by the Director in rendering his final decision.

CHANGE TO TEXT FROM PROPOSED TO FINAL RULE AND EXPLANANTION AS TO WHY THESE CHANGES WERE MADE: The final annotated rule is provided as a separate supporting document at the time of filing the final rule. The final rule adopted was supported by public comment and the RI Marines Fisheries Council. The Director's decision memo which provides rationale for final rule decisions is provided in a separate attachment filed as additional documentation with the rule filing.

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