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 5 – Lobster, Crabs, and Other Crustaceans

RULE IDENTIFIER: 250-RICR-90-00-5

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

REASONS FOR NOT ACCEPTING ARGUMENTS MADE IN TESTIMONY AND COMMENTS: Several comments were provided; all opposed the proposed rule. The rule was adopted as noticed based on the matter being requirements of the ASMFC Fisheries Management Plan for American lobster, and pursuant to R.I. Gen. Laws Chapter 20-8 Atlantic States Marine Fisheries Compact which requires that states in the Compact are compliant with the FMP. The proposed rule was also recommended for adoption by the RI Marine Fisheries Council. The Director's decision memo filed as a separate supporting document provides further detail as to the rationale for adopting this rule.

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): N/A

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.