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Division of Marine Fisheries**

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Fiscal Note

Proposed Amendments to RIDEM Marine Fisheries regulations “Part 5 - Lobsters, Crabs, and Other Crustaceans”

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Office of Management and Budget

Fiscal Note for Proposed Administrative Rules (R.I.G.L. § 22-12-1.1)

Name of Rule: PART 5 – Lobsters, Crabs, and Other Crustaceans, 250-RICR-90-00-5

Lobster

FISCAL IMPACT					
State Revenues		State Expenditures		City/Town Expenditures	
FY 2026	\$0	FY 2026	\$0	FY 2026	\$0
FY 2027	\$0	FY 2027	\$0	FY 2027	\$0
FY 2028	\$0	FY 2028	\$0	FY 2028	\$0

Summary of Policy Change:

Proposal: Lobster Trap Tag Transfer Application Period (state vessels) for consistency with the Fishery Management Plan (FMP).

Section 5.5.1(L)(5)(b)(3)&(4):

- Remove language that Lobster Trap Allocation (LTA) transfer applications may only be submitted from June 1 through November 30
- Require that the LTA transferor must return all valid trap tags prior to LTA transfer application approval.

The current application period was required under the FMP when the Lobster Conservation Management Area 2 trap reduction schedule was active. The Area 2 trap reduction schedule is no longer active, therefore the application period is not needed. Per the FMP, LTA transfers can occur at any time throughout the year.

Requiring all valid trap tags be returned prior to an LTA transfer application being approved is required so fishermen without LTAs do not possess trap tags.

Summary of State Fiscal Impact:

No state fiscal impact as there is no anticipated change in the number of licenses issued.

City or Town Impact: No city or town impact is anticipated.

Reviewed/Approved by CFO: Emily Cahoon Dated: 8/8/25

Name of Rule: PART 5 – Lobsters, Crabs, and Other Crustaceans, 250-RICR-90-00-5

Horseshoe Crab

FISCAL IMPACT					
State Revenues		State Expenditures		City/Town Expenditures	
FY 2026	\$0	FY 2026	\$0	FY 2026	\$0
FY 2027	\$0	FY 2027	\$0	FY 2027	\$0
FY 2028	\$0	FY 2028	\$0	FY 2028	\$0

Summary of Policy Change:

Proposal: Clarify the biomedical horseshoe crab lunar closure on the new and full moons.

Section 5.7(D)(3)(d) – Clarify lunar closure language.

The current biomedical horseshoe crab lunar closure language is being misinterpreted as only applying 48 hours before and after the new and full moons, and not actually on the new and full moons. This language proposes to clarify that the closure applies from 48 hours before the new and full moon through 48 hours after the new and full moon.

Proposal: Close coastal salt ponds and Little Narragansett Bay to commercial biomedical horseshoe crab harvest.

Section 5.7(D)(3)(f) – Add a commercial biomedical harvest prohibition of horseshoe crabs in all Coastal Salt Ponds and Little Narragansett Bay.

This regulatory change is in response to a formal petition of rulemaking the DMF received from Save the Bay on September 9, 2024, requesting regulatory amendments to Part 5 – Horseshoe Crab. A revised petition was submitted on October 11, 2024, and subsequent email correspondence was provided in December to clarify the regulatory amendments. The Rhode Island Marine Fisheries Council (RIMFC) deliberated on this regulatory item at their March 2025 meeting and tasked the RIDEM with evaluating the coastal salt pond closure further and re-noticing during the next regulatory cycle. Save the Bay also requested after the July 16, 2025, workshop, that the biomedical horseshoe crab harvest also be prohibited from Little Narragansett Bay.

Summary of State Fiscal Impact:

No state fiscal impact as there is no anticipated change in the number of licenses issued.

City or Town Impact: No city or town impact is anticipated.

Reviewed/Approved by CFO: Emily Cahoon Dated: 8/8/25
Name of Rule: PART 5 – Lobsters, Crabs, and Other Crustaceans, 250-RICR-90-00-5
Jonah Crab

FISCAL IMPACT					
State Revenues		State Expenditures		City/Town Expenditures	
FY 2026	\$0	FY 2026	\$0	FY 2026	\$0
FY 2027	\$0	FY 2027	\$0	FY 2027	\$0
FY 2028	\$0	FY 2028	\$0	FY 2028	\$0

Summary of Policy Change:

Proposal: Allow possession of detached Jonah Crab Claws consistent with the FMP.

Section 5.8(B)(2)&(5): Add a detached Jonah Crab Claw bycatch provision to allow harvesters to possess less than 5 gallons of detached claws.

The Division of Marine Fisheries (DMF) is submitting this Proposal in response to public comments received. Harvesters and dealers are frequently seeing claws become detached from whole crabs while processing. With the current prohibition for claws, both harvesters and dealers are being found in violation of existing regulations. The Jonah Crab FMP allows for harvest of detached claws of any size provided the volume is less than 5 gallons, and claws with a minimum size of 2 ¾" if harvesting 5 gallons or more of detached claws. This proposal would bring RI into compliance with the FMP while addressing concerns from harvesters and dealers.

Summary of State Fiscal Impact:

No state fiscal impact as there is no anticipated change in the number of licenses issued.

City or Town Impact: No city or town impact is anticipated.

Reviewed/Approved by CFO: Emily Cahoon Dated: 8/8/25