

CARES Act - Frequently Asked Questions

What is the CARES Act 2.0?

Maryland has been allocated an additional \$3.4 million dollars in economic relief funds for the commercial seafood industry. This funding was secured through the Federal Consolidated Appropriations Act of 2021. This second round of funding is referred to as CARES 2.0

Under CARES 2.0, direct payments will be provided to commercial, for hire, aquaculture, and seafood processing operations whose 2020 or 2021 revenue has suffered a loss of greater than 35% in 2020 or in 2021 due to COVID-19.

The money is being administered by the Atlantic States Marine Fisheries Commission (ASMFC).

When can I fill out my application?

The application will be available to eligible members of the seafood industry on **August 9, 2021** on the [Maryland OneStop website](https://onestop.md.gov/). <https://onestop.md.gov/>

The deadline to apply is **August 27, 2021**.

How is Maryland spending the money?

Maryland has dedicated \$2.3 million of CARES 2.0 funding for direct payments to commercial, for hire, aquaculture, and seafood processing operations whose 2020 revenue has suffered a loss of greater than 35% because of COVID-19.

\$1 million will fund seafood marketing and business support for individuals in the seafood industry; the remaining funds cover expenses incurred by Maryland in working with the National Oceanic and Atmospheric Administration (NOAA) to develop and implement this approved spending plan which meets the provisions of the CARES Act and NOAA guidelines.

Lots of people got paid under your last CARES program, who should apply for CARES 2.0?

The CARES 2.0 direct assistance money is targeted at individuals who have not yet received aid, but have determined a loss of greater than 35% in 2020 or expect a loss of this magnitude to occur in 2021.

What if I already applied for the Maryland DNR CARES relief program?

If you successfully applied for CARES relief in 2021 and received payments from the Atlantic States Marine Fisheries Commission, **PLEASE DO NOT RE APPLY UNDER THIS CARES 2.0 PROGRAM.** You are eligible to receive a 3rd payment in the fall of 2021. The amount of payment depends on the number of successful CARES 2.0 applicants.

What if I already applied for the Maryland DNR CARES relief program and my application was rejected?

If you applied for CARES relief in 2021 and your application (or your appeal) was rejected on the grounds of harvest history or domicile, **PLEASE DO NOT RE APPLY UNDER THIS CARES 2.0 PROGRAM.** The criteria for eligibility have not changed. Therefore, if your application was rejected under the first CARES program, it will be rejected again under CARES 2.0

Who is eligible to apply for CARES 2.0 Act funds?

The eligibility requirements for CARES 2.0 are the same as they were for the first CARES (1.0) round.

In order to qualify, applicants must be at least 18 years of age, be willing to self-certify on a legal affidavit a 2020 or 2021 revenue loss of greater than 35%, compared to the most recent 5-year average, and have, prior to March 27, 2020, reported for-hire or commercial harvest of finfish, shellfish including crabs, or aquaculture products and/or report seafood dealing activity in one of the three years including 2017, 2018, 2019.

Revenue loss may have occurred over any time period in 2020 or in 2021 that is 4 consecutive weeks or greater between March 16, 2020 and the time of the application **and may not include projected future losses.** Revenue loss may not straddle the calendar year. A loss in 2020 must occur between March 16 and December 31, 2020. A loss in 2021 must occur between January 1, 2021 and the date of your application.

In addition, applicants must meet one of the following criteria:

- A Maryland, Potomac River Fisheries Commission, and/or National Oceanic and Atmospheric Administration (NOAA)-authorized commercial seafood harvester domiciled in Maryland;

- A commercial seafood harvester domiciled in Maryland who has harvested on a temporarily transferred authorization (does not own a license);
- A seafood dealer/processor domiciled in Maryland that is licensed to sell seafood either by the State of Maryland and/or by the federal government;
- An aquaculture business that is domiciled in Maryland and holds valid aquaculture leases in Maryland;
- An entity domiciled in Maryland that holds federal for-hire permits;
- An entity domiciled in Maryland that holds federal commercial harvest permits;
- A charter or for-hire entity not domiciled in Maryland but that holds a NOAA or Maryland-issued authorization and whose businesses are based solely in Maryland;
- An entity licensed by the Potomac River Fisheries Commission (PRFC) that is domiciled in Maryland and reports harvest to Maryland; and/or
- Maryland residents with federal operator permits.

How much money will I get?

If your application is successful, you will receive a payment of \$2,095.05. This is the same amount that was distributed to all successful applicants to the first round of CARES relief, after their license fees for the 2019-2020 fishing year were reimbursed.

Due to time constraints imposed by Federal deadlines, DNR will not be reimbursing license fees for successful CARES Act 2.0 applicants. However, those who successfully qualify will receive a second payment in the fall of 2021. The amount of this payment will depend on the number of successful CARES Act 2.0 applicants.

Once the application date closes on August 27, 2021 and all qualified applicants have received their first payment, the balance of the \$2.3 million allocated for direct payments will be divided equally among all 1,026 of originally qualified CARES 1.0 applicants plus the successful CARES 2.0 applicants. You will complete one application and potentially receive two checks. The amount of the second payment depends on the number of successful CARES 2.0 applicants.

How do I apply?

Applications are available on the [OneStop Maryland website](#). You will need to have an email address and will be required to create a Onestop account in order to apply. The application is short and should only take 15 – 20 minutes. You can save it and return to it later if you are interrupted. If you are unable to access the website or create an account for any reason, customer service phone numbers will be made available. You will be emailed a copy of your application although you should print a copy before submitting and save it for at least three years.

Have this information ready when you apply:

- Social Security Number
- DNR ID, if applicable
- Maryland or Potomac River Fisheries Commission Commercial License Number, if applicable
- Employer Identification Number, if applying on behalf of a company
- For federal fishery applicants: Vessel name and Registration Number

How will I get my money?

Your money will arrive as a check made payable to you. The check will be from the Atlantic States Marine Fisheries Commission (ASMFC) NOT from Maryland DNR. ASMFC is administering the CARES money for DNR. **Your check will be mailed to the address you enter into your CARES application**, so please take extra care to make sure you have correctly entered your current mailing address. If you qualify, you should receive your first check within 8 - 10 weeks of submitting your application.

If I harvest using a license I have leased from someone else, can I apply?

Yes, anybody who leased a license issued by Maryland issued by Maryland from someone or leased a license issued by Maryland issued by Maryland to someone can apply if they have qualifying harvest on the books in at least one of the years 2017, 2018, and 2019 and can certify a loss of greater than 35% compared to the most recent 5-year average.

How is my revenue loss calculated?

The application will calculate your revenue loss for you. **You can pick any time period that is at least four consecutive weeks but you may not include projected future losses.** For example, you may want to certify that your revenue between April 1, 2021 and May 30, 2021 was more than 35% less than your average April and May revenue for the 5 previous years: 2015 – 2019. You will enter your average revenue for the time period

and then enter your revenue for the same time period in 2021. Your percent loss will be calculated using this formula:

$$((5\text{-year average revenue} - 2021 \text{ revenue}) / 5\text{-year average revenue}) \times 100$$

For example, if your 5-year average revenue for April and May was \$20,000 and your 2021 revenue for April and May was \$12,000, then your loss would be:

$$(\$20,000 - \$12,000) / \$20,000 \times 100 = \mathbf{40\%}$$

Do I need any financial documents to support my claim of revenue loss?

No documents are needed to apply -- you will sign a legal affidavit testifying to your loss. DNR will not accept or review any of your financial information; however, all applicants will be subject to audit by NOAA, the Office of the Inspector General, or other entities.

What happens after I submit my application?

You will receive an email confirming the receipt of your application. Maryland DNR will review your application and confirm that you have reported harvest, dealing activity, aquaculture activity in at least one of the 3 years: 2017, 2018, 2019. If no record of activity is found, you will receive an email notifying you that your application did not qualify. If your application is confirmed to qualify, your information will be securely forwarded to the Atlantic States Marine Fisheries Commission (ASMFC) who will send your check. Applications should be verified and forwarded to ASFMC within 30 days and you should receive your first check within 8 – 10 weeks.

What happens if my 2020 or 2021 revenue is greater than my average revenue in 2015-2019?

Under Section 12005 of the CARES Act and under the Consolidated Appropriations Act of 2021, NOAA is requiring fishery participants receiving Section 12005 CARES Act assistance to affirm that they are not making themselves “more than whole” as a result of the combination of financial assistance from Section 12005, other programs in the CARES Act (e.g., Payment Protection Program, CFAP 2), and their traditional revenue stream as compared to their total average annual revenue from the previous five years.

In plain language, this means that NOAA might ask you to pay back money if they determine that your 2020 revenue was higher than your 5-year (2015-2019) average. All applicants will be subject to audit by NOAA, the Office of the Inspector General or other entities.

To be safe, make sure your annual revenue for 2020 or 2021 is lower than your 5-year average. We've provided an optional question on the application where you can cap the amount of your second payment if you think it will be close.

What happens if my revenue loss straddles the calendar year?

NOAA is requiring that you calculate your loss for either 2020 or for 2021. Do not choose a period of revenue loss that straddles the calendar year. Your period of loss may be any time between March 16, 2020 and December 31, 2020 **OR** January 1, 2021 and the date of your application.