

# **Consolidated Appropriations Act - Fisheries Assistance Program**

RIDEM  
June 16, 2021

# Introduction

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- In December 2020, Congress enacted the Consolidated Appropriations Act of 2021.
- The Act includes \$300 million in funding for COVID-related fisheries assistance, \$255 million of which is allocated for fisheries assistance in the coastal states.
- On March 29, 2021, NOAA Fisheries announced the allocation of the \$255 million among the coastal states.

# Introduction

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- RI's allocation original allocation was \$3,000,000
  - NOAA and ASMFC drew a small amount of funds for administrative costs
  - RIDEM will also draw a small amount -- \$30,369 -- for administering the program.
- RI's final allocation is \$2,929,243

# Basis for the Allocation

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- NOAA Fisheries used readily available total annual revenue information from the commercial fishing, charter fishing, aquaculture, and processor/seafood sectors of coastal states and territories to proportionately allocate the 2021 Consolidated Appropriations Act funding (similar to CARES Act).
- Although there is no requirement to do so, RI's allocation will be distributed based on these proportions. Final proportions may vary based on the numbers of eligible participants applying in each sector and the amount of their claims.

# Basis for the Allocation

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Allocated funds by sector proposed in the spend plan.

Fishing Sector	Allocation	Amount*
Commercial Fishing	62.6%	\$1,833,706
Aquaculture	5.4%	\$158,179
Party and Charter	3.5%	\$102,523
Processors	28.5%	\$834,834

\* Accounts for administrative costs removed.

# Eligibility

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- Eligible fishery participants must have incurred a documented fishery-related loss in revenue during the reference period greater than 35% relative to average fishery-related revenues earned during the same reference period over the prior 5 years (2015-2019), or active portion thereof if fishery-related revenues did not encompass the entire 5-year period.
- Applicants cannot seek funds that would make them "more than whole" in 2020 relative to their average annual revenue earned across the previous five years (2015-2019).

# Party and Charter

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- Reference Period
  - Feedback received from stakeholders was mixed (e.g. June 2020-May 2021, Aug-Dec 2020)
    - Based on our examination of federal VTR P&C data, most losses occurred from **May-Dec 2020**. As such, this is RIDEM's proposal for the draft spend plan

# Party and Charter

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- Sub-allocations
  - Party and Charter allocation is further allocated into two subsectors:  
Party/Head Boats and Charter Boats
    - Using MRIP definition for Party/Head Boat
    - Sub-allocations:
      - Party/Head = 67% = \$68,691
      - Charter = 33% = \$33,833
  - Passenger Cost
    - Based on study by Lovell et al. (2020), using guide trip and tip fees

# Party and Charter

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- Affidavit
  - Party and charter specific info – License #, whether it's a P or C, Fed Permit #, Vessel Name and Number
  - Self certify – if you are in more than 1 sector, you would complete a different application for each
  - Supporting data – trip records

# Aquaculture

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- Reference Period
  - **March – May 2020**, based on feedback from previous stakeholder meetings and communication

# Aquaculture

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- Affidavit
  - Aquaculture specific info – CRMC Assent #, Aquaculture License #, Company Name/DBA, Partners/Co-Owners
  - Self certify – if you are in more than 1 sector, you would complete a different application for each
  - Supporting data – dealer reports, HACCP reports, sales slips

# Seafood Processors

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- Reference Period
  - **March – May 2020**, based on feedback from previous stakeholder meetings and communications

# Seafood Processors

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- Affidavit
  - Seafood Processor specific info – Business name, RIDEM Dealer License #, RIDOH Dealer License #, Federal Dealer Permit #
  - Self certify – if you are in more than 1 sector, you would complete a different application for each
  - Supporting data – dealer reports, sales records

# Commercial Fishing

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- Reference Period
  - Received strong feedback to include summer months not included in the last round of funding
  - Looking at 2020 RI SAFIS information compared to 2015-2019 average, losses appeared to occur through July. Thus, RIDEM initially proposed May-July 2020
  - Additional feedback recommended including April, so draft spend plan proposes **April-July 2020**

# Commercial Fishing

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- Affidavit
  - Commercial Fishing specific info – Vessel name, Registration #, Federal Permit #, RIDEM License #, Fisherman's name, Commercial declaration
  - Self certify – if you are in more than 1 sector, you would complete a different application for each
  - Supporting data – dealer reports and dockside sales reports

# General Comments

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- 15-day Application Period
- Other Assistance
  - Need to claim other forms of assistance (e.g., prior CARES Act assistance, unemployment insurance, forgivable PPP loans). However, certain forms of assistance do not apply (e.g., USDA Tariff Relief)
- If total claims are less than sector allocation, full payout (after verification); if total claims are more, a prorated/customized approach will be used based on verified claims **except charter boats (will receive equal payments based on number of all verified claimants).**

# General Comments

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- Affidavit
  - Confidentiality
    - Applicants consent to give RIDEM access to their data and check other data sources not provided
  - Certification and consent
    - Applicants consent to having their applications shared with the RI Department of Revenue to determine if there are any outstanding tax obligations that need to be addressed prior to receiving assistance.
    - Applicants consent to any audits that may be performed by the State, NOAA, or the Office of Inspector General

# General Comments

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- Following close of Application Period, letters of eligibility or denial will be issued
- Claimants will have 15 days from receipt of this letter to appeal the decision
- There is no appeal allowed for late applications. Only bases for appeals are eligibility based on defined criteria, and amount of individual awards
- Division of Taxation will review approved applications to verify good standing

# General Comments

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- Checks will be issued by the ASMFC to claimants once final list of awardees is submitted by RIDEM, upon completion of the appeals process
- Any unclaimed funds will be used to support RI's seafood marketing program

# Next Steps

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- Submit spend plan to NOAA end of this week/early next week
- Prepare and file emergency regulations for the program upon NOAA's approval of the spend plan
  - Regulations will specify timeline for 15-day application period
- As soon as spend plan is approved:
  - Begin data request process
  - Finalize application forms

# Next Steps

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- All relevant info pertaining to the program – including final spend plan, data request portal, regulations, application/affidavit, and stakeholder presentations -- will be posted on the RIDEM Division of Marine Fisheries website
- All announcements pertaining to the program will continue to be issued via RIDEM Division of Marine Fisheries listserv
- Any questions pertaining to the program may be directed to [conor.mcmanus@dem.ri.gov](mailto:conor.mcmanus@dem.ri.gov)