

**SUPPORTING STATEMENT
DAM OWNER SURVEY TO SUPPORT MANAGEMENT OF GULF OF MAINE
DISTINCT POPULATION SEGMENT OF ATLANTIC SALMON
OMB CONTROL NO. 0648-XXXX**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

In 2009, Atlantic salmon from the Gulf of Maine Distinct Population Segment (GOM DPS), ranging from the Androscoggin River in South Central Maine to the Dennys River in Eastern Maine, were listed as endangered under the [Endangered Species Act](#) (ESA) (74 FR 29344, June 19, 2009). Dams were identified in the listing as a significant threat to the species survival and recovery. In order for recovery to occur, Atlantic salmon must have access to sufficient adult spawning habitat and juvenile rearing habitat to support their continued existence. In furtherance of recovery, the National Marine Fisheries Service (NMFS) proposes to conduct a survey of dam owners.

This survey will allow NMFS to identify owners of those dams on our list of non-Federal Energy Regulatory Commission (FERC) regulated dams and present them with opportunities to participate in programs that will aid them in complying with the ESA. Owners of non-FERC dams often do not have regulatory oversight by a federal agency and therefore may not be aware of the requirements of the ESA and how these requirements apply to them. This survey will identify opportunities for fish passage improvements or dam removal that may fit into existing funding programs directed towards improving fish passage for diadromous fish species. Information from this survey will also be collected to educate the National Oceanic and Atmospheric Administration (NOAA) on the current use, anticipated use, and community interest in small dams. This information will aid NMFS in developing tools to communicate and work effectively with dam owners within the GOM DPS.

This is a request for a new collection of information.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

The information collected from this survey will educate NMFS on the current use, anticipated use, and community interest in small dams. NMFS will use the results of the survey to develop outreach and communication strategies to inform dam owners on the effects of dams on Atlantic salmon. Results also and will aid NMFS in developing tools to work effectively with dam owners within the GOM DPS.

The survey questions are designed to evaluate attitudes and issues concerning dam ownership.

- Questions 1 and 2 provide us with a verification of dam ownership and contact person for the dam.

- Question 3 determines the dam's current use(s).
- Question 4 asks about planned future modifications of the dam.
- Question 5 helps us to identify concerns or questions regarding dam ownership.
- Question 6 seeks to identify groups or individuals who may have a special interest in the dam in question.
- Questions 7, 8, 9 and 10 repeat previous questions (3-6) for a second dam owned by the same respondent.
- Question 11 determines the dam owner's interest in receiving future information about Atlantic salmon, fish passage, selling the dam, or removing the dam(s).
- Question 12 asks the dam owner if he/she would like to receive additional information about a General Conservation Plan that NMFS is preparing for Atlantic salmon.
- Question 13 allows the respondents to comment on the survey.

As explained in the preceding paragraphs, the information gathered has utility. NOAA NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should NOAA NMFS decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

A mixed mode survey is proposed for this data collection effort. NOAA will initiate contact with dam owners using an introductory letter to be delivered using first class mail. Approximately two weeks after the mailing, respondents reported to own up to two dams will be interviewed by telephone; owners of more than two dams will be contacted by telephone and personal interviews will be scheduled with them. Interview responses will be recorded electronically. Upon request, respondents will be mailed a paper version of the survey to complete and return in a postage paid envelope.

4. Describe efforts to identify duplication.

There is no known comprehensive database of owners of dams in Maine, nor have any previous surveys of Maine dam owners been identified.

Currently, there is no comprehensive information regarding current use of the dams, nor the owners' willingness to speak with NOAA regarding fish passage. State and federal agencies and non-governmental organizations (NGOs) were contacted in an effort to identify existing information on Maine dam owners. While the U.S. Army Corps of Engineers (ACOE), and the Maine Emergency Management Agency (MEMA) maintain databases of dam owners, neither database is complete, frequently absent critical information such as ownership and contact

information. A comparison of ACOE and MEMA records of Maine dam owners revealed MEMA's records generally to be the most current, although in a recent mailing to this group, fully 30 percent of the mailing was undeliverable. The Maine Department of Environmental Protection (MDEP) formerly maintained a database of dam owners and required annual dam registration, but the process was discontinued in 1993.

Records of dam ownership were obtained from ACOE and MEMA, and consolidated to represent the most comprehensive list of dams, owners and contact information available for the area within the Penobscot, Downeast, and Merrymeeting Bay Salmon Habitat Recovery Units (SHRUs) identified for the endangered Atlantic salmon. These records are being supplemented with field visits that identified the presence of the dams, and by NOAA's consultant, Kleinschmidt Associates (Kleinschmidt). Kleinschmidt Associates is an engineering and environmental consulting firm that specializes in water resource management. The firm has been involved with dam construction, rehabilitation and management in Maine for over 40 years, and its staffs' collective knowledge of Maine dams is extensive.

Numerous researchers, agencies and NGOs across the nation were questioned regarding their knowledge of any similar efforts that could be used to guide survey design or implementation. No contacts were aware of any surveys targeting owners of dams that are not federally licensed, for purposes of discussing fish passage.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

NOAA's intent is to conduct a census of owners of in Maine that are not federally licensed by FERC. A breakdown of ownership by type of owner is provided in Part A, Question 12. It is not known what percentage of businesses/corporations are small businesses. However, since a majority of owners own only one dam, and the survey takes an estimated ten minutes per dam to complete, the burden will be minimal. NOAA will offer to schedule personal interviews with entities owning more than two dams to complete the data collection. Personal interviews are estimated to take approximately one hour in length, depending on how many dams are owned by the respondent. The estimated length of time also accounts for the potential for an extended response to the comment period at the conclusion of the interview. There are an estimated 15 entities that reportedly own more than two dams.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

This survey is needed in order to properly identify and manage a major threat to the recovery of the endangered GOM Atlantic salmon. Without conducting this survey, we are not able to inform dam owners of their obligations under the ESA and identify dam owners who are interested in participating in a general conservation plan, which will provide landowners with incidental take statements for their dam's effects on listed Atlantic salmon. This survey also allows dam owners the opportunity to participate in potential NMFS-funded fish passage and dam removal efforts.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

Not Applicable.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice published on November 26, 2010 (75 FR 72787) solicited public comments. No comments were received.

Consultant personnel trained in survey research and implementation methods created the survey instrument. Researchers, agencies and NGOs across the nation were questioned regarding their knowledge of any similar efforts that could be used to guide survey design or implementation. Several contacts shared their experiences in attempting to identify dam owners; others provided examples of forms that dam owners are required to submit to state agencies for registration and emergency management purposes. This information was valuable and resulted in some modifications to the survey language. Individuals and entities contacted include:

- Dams and Hydro Supervisor, ME Department of Environmental Protection
- Department Head, Agricultural & Applied Economics, Virginia Tech
- Deputy Director of Eastern US Freshwater Program, The Nature Conservancy
- Supervisory Fishery Biologist for the Santa Rosa Area Office North Coast Team, National Marine Fisheries Service, CA
- American Society of Dam Safety Officials
- State Dam Inspector, Maine Emergency Management Agency
- Program Director, Office of Dam Safety, MA, Division of Water Supply and Protection, MA
- River Restoration Coordinator, DES Water Division Dam Bureau, NH
- Public Information Officer, DES Water Division Dam Bureau, NH
- Chief, Division of Habitat Management, PA Fish and Boat Commission
- Department of Environmental Protection, Dam Safety, PA

Information regarding the availability of data is provided in response to Question 4.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

There are no plans for payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Survey results are intended for internal use to identify dam owners willing to discuss fish passage with NOAA; however, there is no assurance of confidentiality.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No questions of a sensitive nature will be asked.

12. Provide an estimate in hours of the burden of the collection of information.

Entity Type	Number of Entities
Private or Individual	87
Corporation, Company, Business	62
Municipal	61
Associations and Clubs	28
Water Districts	12
Water Companies	9
State Agencies	6
Federal	3
Sanitary District	1
Ownership Unknown	21
Total	290

The population of dam owners is estimated at 290. The population is divided into two groups: owners of up to two dams (275), and owners of more than two dams (15).

The frequency of response is once. Assuming a 75% response rate for both groups, the survey will be completed by approximately 217* entities ((275 owners of two or fewer dams x 0.75= 206.25) + (15 owners of more than two dams x 0.75 = 11.25)) = 217).

The average time to complete the survey is estimated at 10 minutes per survey for entities owning two or fewer dams (206 x 10 min/60 min = 34), and an average of 60 minutes for those owning more than two dams (11 x 60 minutes). Respondents will not be required to gather any information to prepare for their responses.

Because we do not anticipate that there will be enough time to complete all the surveys in 2011, one half of the surveys and interviews will be completed in 2011 and the second half will be completed in 2012. The total hours for the two-year period will be 34 + 11 = 45 hours, with an annualized burden of 22.5 (23) hours.

The estimated response times were based on survey pretests. The estimated 25% non-response rate includes non-respondents (refusals) and those for whom contact information is invalid.

*Although 75% of 290 is 218, in ROCIS the two information collections will be listed separately, due to different response times, so each number of responses will be rounded down.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

Responding to the survey involves no recordkeeping/reporting costs.

14. Provide estimates of annualized cost to the Federal government.

Annual cost to the Federal government is approximately \$57,000 divided as follows: \$45,000 in contract award money and \$12,000 in staff time and resources. Contractor services include conducting the pretesting described in Part B Question 4.

15. Explain the reasons for any program changes or adjustments.

This is a new data collection.

16. For collections whose results will be published, outline the plans for tabulation and publication.

Individual survey results will not be publicly available. Internal memoranda and supporting materials will be prepared that document the sampling procedures and response rates and provide statistical summaries (i.e., means, variances, and frequency distributions) of data collected in the survey. The *analytical results* of studies based on this data will be disseminated in internal, management related, and possibly peer-reviewed publications.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.