

The NOAA Broad Area Announcement cooperative agreement NA14NMF4630256, implemented by the Penobscot River Restoration Trust, will generate environmental data and information post-dam removal on the Penobscot River. Data collected for the following studies will provide information on ecological response to the project: (1) geomorphology (channel geometry at monumented cross-sections); (2) water quality (water chemistry and benthic macroinvertebrates); (3) wetland and riparian plant communities (including invasive species); (4) fish passage (up and downstream via tagging and hydroacoustic methods); (5) fish community assemblages (presence and abundance); (7) Atlantic and shortnose sturgeon reproduction and habitat use (including habitat suitability modeling and active tagging); and (6) food web dynamics (marine derived nutrients). To achieve program goals and objectives, data will be collected by Penobscot Trust sub-awardees during the 2015 performance period of January 1, 2015 to December 31, 2015. Sub-awardees adhere to the Trust data use agreement (see attachment). Ultimately all datasets will be stored on NOAA servers in Woods Hole, MA. Datasets will be available publically via webpage no later than two years after data is collected/created. Data may be made available before this time by request. Contact Molly Payne Wynne, Penobscot Trust Monitoring Coordinator, at [molly@penobscotriver.org](mailto:molly@penobscotriver.org) for more information or to make a data request.

**Penobscot River Restoration Trust - Data Use Agreement**

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The work proposed under this contract is part of a larger monitoring program being administered by Penobscot River Restoration Trust (Penobscot Trust) and is funded by a NOAA Broad Area Announcement (BAA) cooperative agreement. This monitoring effort will provide ecosystem data for the Penobscot River Restoration Project. As part of a larger monitoring program, data generated by this project is important to interpretive reports and other data products generated by cooperators to fulfill reporting obligations. Data will also support the objective of detecting change in the Penobscot River system following dam decommissioning and removal, while also supporting larger goals of promoting new research and change analyses, allowing the testing of new or alternative hypotheses or data presentations, and enabling the exploration of topics not envisioned by the initial investigators.

In order to achieve program goals and objectives, and to fulfill requirements of our federal funding sponsors, all Penobscot Trust sub-awardees (hereafter referred to as “original investigators”) are required to deliver to Penobscot Trust a full set of final research and monitoring data at the end of the performance period as part of project deliverables. Penobscot Trust has, in turn, an obligation to provide these data to NOAA in partial fulfillment of the terms of its BAA award. It is our understanding that the data will ultimately reside in the public domain. Final data are recorded factual material commonly accepted in the scientific community as necessary to document, support, and validate research findings. In the continuum from field notes and raw instrument output to summary statistics and interpretive products, “final data” are considered those at the lowest level of development that could reasonably be useful for additional or future investigations or data analyses.

Penobscot Trust affirms that original investigators benefit from first and continuing use of data collected during this work, but that prolonged exclusive use is neither consistent with our immediate objectives nor in the best interest of restoration and protection of the Penobscot River system. Penobscot Trust will need to make immediate use of data for its own project reporting, planning and public relations purposes, but will work with original investigators to avoid circumstances that would interfere with them having first opportunity to publish research findings stemming from Penobscot Trust funding awards. Penobscot Trust efforts to protect first use by original investigators shall endure for a period lasting not less than 2 years after the end of the award performance period, and generally longer for investigators who remain active in monitoring activities directly related to the original Penobscot Trust sub-award, or by mutual agreement. After that time, Penobscot Trust may consider requests for final data from third parties. If any final data is forwarded to other researchers, Penobscot Trust will require the data requestor to communicate with original investigators to determine an appropriate level of collaboration, authorship or acknowledgement. In absence of consensus, Penobscot Trust may prescribe the level of participation before releasing data. All data used by Penobscot Trust will include an acknowledgement of the original investigators who collected it, and any eventual distribution of data by Penobscot Trust to third parties will include this same expectation. Similarly, investigators are expected to acknowledge Penobscot Trust and NOAA for supporting this work, and are required to reference the BAA funding source in publications or presentations of their research findings.