

**JUSTIFICATION FOR NONSUBSTANTIVE CHANGE TO
OMB CONTROL NO. 1018-0121**

On February 11, 2013, OMB approved the renewal of OMB Control No. 1018-0121 with the following terms of clearance: The Fish and Wildlife Service is in the process of standardizing the annual report required under 21.48, and developing a form for more uniform recording of take by aquaculture producers under 21.47. It is anticipated that revisions to the forms will be submitted as nonsubstantive changes no later than August 31, 2013.

During our outreach for the renewal of OMB Control No. 1018-0121, we received several comments requesting that we create forms for the information required in annual reports for the Depredation Order for Double-crested Cormorants at Aquaculture Facilities (50 CFR 21.47) and the Depredation Order for Double-crested Cormorants to Protect Public Resources (50 CFR 21.48). We have created new forms that will provide more uniform recording of take and standardize the annual report required for both depredation orders. We provided draft forms to the following individuals, who commented during the original outreach, and to other interested parties for review and comment:

Frank Boyd State Director – Alabama, USDA/APHIS/WS Tel. (334) 844-5670 Email: boydfra@auburn.edu	Pete Butchko State Director – Michigan, USDA/APHIS/WS Tel. (517) 336-1928 Email: Peter.H.Butchko@aphis.usda.gov
Steve Lewis U.S. Fish and Wildlife Service Tel. 612-713-5473 Email: steve_j_lewis@fws.gov	Jim Farquhar NYSDEC Bureau of Wildlife Tel. (315) 785-2254 Email: jffarquh@gw.dec.state.ny.us
Mike Hoy District Supervisor, USDA/APHIS/WS Tel. (870) 673-1121 Email: Michael.D.Hoy@aphis.usda.gov	Parker Hall State Director - NH/VT, USDA/APHIS/WS Tel. (603) 223-6832 Email: parker.t.hall@aphis.usda.gov
Steve Mortensem Leech Lake Band of Ojibwe Tel: (218) 335-7421 Email: smortensen@lldrm.org	Susan Lawrence U.S. Fish and Wildlife Service Tel. (703) 358-2016 Email: Susan_Lawrence@fws.gov
Jason Suckow WI -State Director, USDA/APHIS/WS Tel. (608) 837-2727 Email: Jason.Suckow@aphis.usda.gov	Dave Sherman Ohio Division of Wildlife Tel. (419) 898-0960 x24 Email: dave.sherman@dnr.state.oh.us

We received several comments regarding adding additional details in the instructions, clarifying column descriptors, increasing space to provide the required information, providing examples of information required, and adding some clarification language to the forms. We incorporated all of these suggestions in the new forms. One person pointed out that aquaculture producers in Minnesota do not operate at a specific facility, and may operate over a number of locations across a county. Thus, this field may not be appropriate in Minnesota. Consequently, we added an explanation to the instructions on FWS Form 3-202-18. One person questioned why some of the information was required and also questioned some of the language in the Paperwork Reduction and Privacy Act Notices. We did not make any changes in response to these comments. No one provided any suggestions for how to incorporate check boxes into the report forms.

The forms will be available on the Fish and Wildlife Service Forms web page in a fillable format.