

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Proposal To Reclassify the Legal Status of the American Alligator Throughout the Remainder of Its Range to Threatened Due to Similarity of Appearance

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to reclassify the American alligator (*Alligator mississippiensis*) throughout the remainder of its range, where the species is presently classified as endangered or threatened, to threatened due to similarity of appearance under provisions of the Endangered Species Act of 1973, as amended. The Service is also proposing to amend the special rule on American alligators to reflect species-wide reclassification to threatened due to similarity of appearance. This proposed rule is based on evidence that the species is no longer biologically endangered or threatened. Alligator populations in Texas, Louisiana, and Florida have already been reclassified. This proposal deals with alligator populations in Alabama, Arkansas, Georgia, Mississippi, North Carolina, Oklahoma, and South Carolina. Alligator populations in these seven states are relatively stable and the alligator's distribution throughout these seven states is limited largely by habitat suitability. Reclassification would reduce restrictions on States for future management and research. Any proposed harvests would have to comply with the Service's special rule on American alligators and existing State statutes and regulations. The Service is requesting comments and information pertaining to this proposed reclassification of the alligator throughout its range, and proposed amendments to the special rule.

DATES: Comments from all interested parties must be received by August 1, 1986. Public hearing requests must be received by July 17, 1986.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Endangered Species Field Office, U.S. Fish and Wildlife Service, Jackson Mall Office Center, Suite 318, 300 Woodrow Wilson Avenue, Jackson, Mississippi 39213. Comments and materials received will be available for public inspection, by appointment,

during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Mr. Dennis B. Jordan (See **ADDRESSES** section) (601/960-4900 or FTS 490-4900).

SUPPLEMENTARY INFORMATION:**Background**

The American alligator (*Alligator mississippiensis*) is a large reptile that inhabits wetland areas in all or parts of the following States: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, and Texas. The alligator is a member of the Crocodylia, a group of reptiles that has remained relatively unchanged since it evolved some 180-200 million years ago (Murphy 1982). It is one of only two extant species (Chinese alligator and American alligator) of the genus *Alligator*, and it has significant scientific and commercial value. The American alligator's historic and present range are similar (Murphy 1982), although current populations are probably more disjunct due to habitat modification.

Management of alligators has improved markedly in recent years through the activities of Federal agencies, States, and private groups. Major contributions to the species recovery were made by the Florida Game and Fresh Water Fish Commission, the Louisiana Department of Wildlife and Fisheries, the North Carolina Wildlife Resource Commission, the South Carolina Department of Wildlife and Marine Resources, and the Texas Department of Parks and Wildlife. Many State and private institutions and organizations have also made significant contributions. Because of these activities, the American alligator is no longer biologically endangered or threatened.

The alligator was first classified as endangered throughout its range in 1967 due to concern over poorly regulated or unregulated harvests. Subsequently, the alligator recovered rapidly in many parts of its range due to response to Federal and State protection, enabling the Service to undertake the following reclassification actions: (1) Reclassification to threatened due to similarity of appearance in three coastal parishes of Louisiana, reflecting complete recovery (September 26, 1975—40 FR 44412); (2) reclassification to threatened, reflecting partial recovery in all of Florida and certain coastal areas of South Carolina, Georgia, Louisiana, and Texas (January 10, 1977—42 FR 2071); (3) reclassification to threatened due to similarity of appearance, reflecting complete

recovery in nine additional parishes of Louisiana (June 25, 1979—44 FR 37130); (4) reclassification to threatened due to similarity of appearance in 52 parishes in Louisiana, reflecting complete recovery (August 10, 1981—46 FR 40664); (5) reclassification to threatened due to similarity of appearance in Texas, reflecting complete recovery (October 12, 1983—48 FR 46332); (6) reclassification to threatened due to similarity of appearance in Florida, reflecting complete recovery (June 20, 1985—50 FR 25672).

Presently, the species is classified as threatened due to similarity of appearance in Florida, Louisiana, and Texas. These three States contain the majority of American alligator habitat; approximately 12,000,000 acres (4,858,299 hectares) or 83 percent of the total for the species. Alligators are classified as threatened or endangered in Georgia and South Carolina, and endangered in Alabama, Arkansas, Mississippi, North Carolina, and Oklahoma.

The Service was petitioned by the State of South Carolina on July 27, 1984, to reclassify the American alligator in South Carolina, to a category of threatened due to similarity of appearance. Data submitted in support of the petition indicate that alligator populations in South Carolina are disjunct, but stable. Studies in Georgia (Ruckel 1984a, 1984b, and 1984c), North Carolina (Doerr 1983), Mississippi (Lewis 1984), and Alabama (Chabreck 1980, 1984) indicate similar population characteristics to those in South Carolina; populations are stable, disjunct, and limited to areas with suitable habitat. Comprehensive data are not available for Arkansas and Oklahoma, although population characteristics should be similar to peripheral populations in other States. These data, in addition to findings in Florida (46 FR 40664), Texas (42 FR 2071), and parts of Louisiana (44 FR 37130), indicate that the alligator is neither endangered nor likely to become endangered within the foreseeable future. Therefore, the Service proposes to reclassify populations currently listed as endangered or threatened, into the category of threatened due to similarity of appearance. This action would result in a rangewide designation of the American alligator as threatened due to similarity of appearance. Specifically, the change will affect the alligator's status in Alabama, Arkansas, Georgia, Mississippi, North Carolina, Oklahoma, and South Carolina. States which contain approximately 17 percent of the species' total habitat. This action

formally recognizes that the American alligator is no longer biologically threatened or endangered, but supports a need for continued Federal controls on taking and commerce to insure against excessive taking and to continue necessary protections to the American crocodile (*Crocodylus acutus*) in the U.S. and foreign countries, and other endangered crocodylians in foreign countries.

Summary of Factors Affecting the Species

Section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations promulgated to implement the listing provisions of the Act (50 CFR Part 424) set forth five factors to be used in determining whether to add, reclassify, or remove a species from the list of endangered and threatened species. These factors and their application to the American alligator (*Alligator mississippiensis*) in Arkansas, Alabama, Georgia, Mississippi, North Carolina, South Carolina, and Oklahoma are as follows:

A. The present or threatened destruction, modification, or curtailment of its habitat or range. Albemarle Sound in North Carolina is the approximate northern limit for alligators (Doerr 1983). From this point and south through the State of South Carolina, the principal habitat for the species is coastal marsh, with greatest densities in fresh marsh, brackish marsh, and natural and artificial impoundments. Of occupied habitats in Georgia, about 60 percent are coastal and inland marshes, with the remaining 40 percent in perennial swamps and reservoirs. Alligator habitat in Alabama and Mississippi is similar to that in Georgia, with large populations in marsh and swampland areas along the coast and disjunct populations located inland. Arkansas has a few peripheral populations in the south central part of the State associated with lakes and streams. Oklahoma has a few peripheral individuals located on the periphery of the Little River drainage in the southeastern part of the State.

Wetlands throughout the alligator's range have been reduced. Productive marsh habitats have been and continue to be lost due to a variety of causes, and residential development on and near wetlands increases the probability of conflict between humans and alligators. However, the Service believes that habitat losses are insignificant when compared to the total amount of alligator habitat. Overall, the alligator occupies some 14 million acres (5,668,016 hectares) of various wetland types. Previously cited references

involving reclassification of the alligator indicate that habitat in Louisiana, Texas, and Florida will remain abundant in the foreseeable future. Furthermore, Federal and State agencies manage and protect large amounts of alligator habitat.

State agencies have applied different combinations of planning strategies which have improved the biological status of the alligator throughout a majority of suitable habitat in the Southeast. Some of these strategies have included (1) greater penalties for illegal harvest, (2) assigning personnel to handle nuisance complaints and to relocate problem alligators, (3) prohibiting harvest on state lands, (4) restricting and controlling harvest on state lands based on survey and population data, (5) purchasing and/or protecting wetland habitats, (6) educating private land owners on the economic and social benefits of maintaining and enhancing alligators and their habitats, and (7) continual monitoring and research of alligator populations.

B. Overutilization for commercial, recreational, scientific, or educational purposes. Overharvest due to commercial demand for alligator products was responsible for population declines in accessible habitats during the 1950's and 1960's. This problem was reserved primarily through a more effective protective mechanism brought about by the Lacey Act Amendment of 1969 which prohibited interstate commerce in illegally taken reptiles and their parts and products. This law provided Federal authority for dealing effectively with illegal activities in the market system. The endangered Species Act of 1973 added heavy penalties which further enhanced the control of illegal taking. Additionally, vigorous enforcement by State and Federal authorities has been effective in controlling the illegal taking of alligators. Because of these actions, the number of alligators generally increased during the late 1970's and 1980's (Table 1).

TABLE 1.—RESULTS OF SOUTHEASTERN COOPERATIVE ALLIGATOR SURVEY FOR ALABAMA, ARKANSAS, GEORGIA, MISSISSIPPI, AND SOUTH CAROLINA. DATA FROM CHABRECK (1984)

Year	Total alligators observed	Average number alligators seen/mile
1972.....	2,584	3.95
1973.....	1,492	3.89
1974.....	875	2.25
1975.....	1,308	3.46
1976.....	1,164	2.37

TABLE 1.—RESULTS OF SOUTHEASTERN COOPERATIVE ALLIGATOR SURVEY FOR ALABAMA, ARKANSAS, GEORGIA, MISSISSIPPI, AND SOUTH CAROLINA. DATA FROM CHABRECK (1984)—Continued

Year	Total alligators observed	Average number alligators seen/mile
1977.....	1,130	4.29
1978.....	1,275	4.64
1979.....	2,356	8.75
1980.....	2,582	4.30
1981.....	3,361	8.63
1982.....	3,797	9.54

A comparison between 1972-1976 and 1977-82 of the average number of alligators observed per mile indicates a 210 percent increase (3.18 vs. 6.69, respectively).

Variation in results presented in Table 1 (e.g., drop in the average number of alligators seen/mile during one year after a steady increase) probably reflects behavioral responses of alligators (e.g., reduced activity) to environmental conditions rather than decreases in the number of alligators at a given site (see Woodward and Marion 1978, for factors affecting night counts).

The number of large (in excess of six feet) alligators also increased dramatically after 1977 (Table 2).

TABLE 2.—A COMPARISON OF LARGE ALLIGATORS/MILE BEFORE 1977 AND 1977-82. DATA FROM CHABRECK (1984)

State	1972-77	1977-82	Percent change
AL.....	.21	2.25	+1,000
AR.....	.38	.39	+ .02
GA.....	.84	1.58	+88
MS.....	.29	.24	-24
SC.....	.12	1.96	+1,633

In addition to night surveys associated with the Southeastern Cooperative Alligator Survey, many additional night surveys have been conducted in North Carolina, South Carolina, and Georgia. Some nest surveys have also been done in South Carolina and Georgia. All of this work indicates stable or increasing alligator populations in these States. For example, Murphy and Coker (1983a and b) showed an overall increasing trend in South Carolina alligator populations from 1976 through 1983. Furthermore, data show healthy rates of nesting, hatching survival, and recruitment in South Carolina (Murphy and Wilkinson 1982), North Carolina (Doerr 1983), Georgia (Ruckel 1981a and 1984a), and Alabama (Chabreck 1980).

Since alligators will continue to be classified as threatened due to similarity of appearance, future taking for

whatever purpose will continue to be regulated by controls established in the Endangered Species Act. Further, the commercial harvest and taking of alligators is regulated by the Service's special rule on American alligators (50 CFR 17.42(a)).

Based on the combined experiences in sustained yield and nuisance control harvests in Louisiana, Florida, and Texas, methods are now available to design harvests so that alligator populations are not negatively affected (Taylor and Neal 1984).

C. Disease or predation. Like most wildlife, alligators are susceptible to various types of disease and predation, but these factors do not appear to threaten the species.

D. The inadequacy of existing regulatory mechanisms. Existing regulations governing take and commerce have successfully dealt with the original basis for listing the American alligator as endangered. The same framework of controls which now governs take and commerce in Florida, Louisiana, and Texas would operate in the remainder of the species' range, if this proposal is made final. The following laws and regulations deal specifically with taking, commerce, and export: (1) The 1969 Amendment to the Lacey Act, which extended enforcement authority to interstate movement of reptiles and their parts; (2) the Endangered Species Act of 1973 which authorizes the special rules for alligators classified as threatened due to similarity of appearance governs taking and commerce in alligators; (3) the annual findings of the Scientific and Management Authorities of the Service, which govern export of species, including the American alligator, which is listed on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

States may not authorize take of alligators or the commercial use of alligator parts except in accordance with conditions set forth in the special rule on American alligators (50 CFR 17.42(a)). Further, the annual findings of the Scientific and Management Authorities under CITES for export of Appendix II species are conditioned by a determination on a State's management and regulatory framework with regard to management and conservation of such species.

Although this reclassification would remove the American alligator from an endangered or threatened status, federally enforced laws and regulations would remain in place. These would require that any harvest options by States meet certain minimum conditions

to insure against a recurrence of the original problem which prompted listing, i.e., excessive take.

E. Other natural or manmade factor affecting its continued existence. Although factors such as nest flooding or drought may affect alligators, none of these natural factors are known to limit populations on a large scale and they are not expected to pose a threat to the species in the future.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by this species in determining to propose this rule. Based on this evaluation, the preferred action is to reclassify the American alligator in the remainder of its range to threatened due to similarity of appearance. Criteria for reclassification of a threatened or endangered species are found at 50 CFR 424.11(d). They include extinction, recovery of the species, and original data for classification in error. This proposal is based upon evidence that the species is not biologically threatened.

Similarity of Appearance

Section 4(e) of the Endangered Species Act authorizes the treatment of a species as an endangered or threatened species even though it is not otherwise listed as endangered or threatened, if it is found: (a) that the species so closely resembles in appearance an endangered or threatened species that enforcement personnel would have substantial difficulty in differentiating between listed and unlisted species; (b) that the effect of this substantial difficulty is an additional threat to the endangered or threatened species; and (c) that such treatment of an unlisted species will substantially facilitate the enforcement and further the policy of the Act.

Although biologists can readily distinguish live alligators from other crocodilians that are listed under the Act, enforcement personnel could have considerable difficulty in making correct species identification, which could hamper enforcement efforts. In addition, small parts and products of processed crocodilian leather are nearly impossible to distinguish when made into goods, thus hampering the identification of legal alligator products from those of endangered or threatened crocodilians. Problems with identification could increase illegal trade in endangered crocodilian products, further jeopardizing these species.

By listing the American alligator under the similarity of appearance

provisions of the Act, coupled with the special rules for American alligators as specified in § 17.42, the Service believes that enforcement problems can be minimized while at the same time the conservation of listed populations of crocodilians can be ensured. The similarity of appearance provisions of the Act have proven effective in Florida, Louisiana, and Texas.

Critical Habitat

Critical habitat for the American alligator was not designated at the time of listing and has not been since designated. Therefore, this proposed rule, if finalized, will have no effect on critical habitat for this species.

Effects of Rule

This proposal, if made final, would change the alligator throughout the remainder of its range from its current status of endangered or threatened to a status of threatened due to similarity of appearance. It would be a formal recognition by the Service that the American alligator is biologically secure throughout its range. A final rule would result in removal of Federal agency responsibilities under Section 7 of the Endangered Species Act.

No significant adverse effects on the status of the species are expected to occur from this removal.

A final rule from this proposal would make available to States the option of expanding harvests of alligators to additional areas. If a State elects to expand its harvests, these harvests could be expected to increase at a level commensurate with development and implementation of the State research and management program. All taking and commerce in alligators and their parts and products would be regulated by the Service's special rule on American alligators (50 CFR 17.42(a)), as well as other applicable controls such as the Lacey Act (18 U.S.C. 42), which prohibits interstate commerce in illegally taken wildlife or their products.

Increased harvest of alligators would be expected to result in an increased volume of alligator exports, although the magnitude of this increase cannot be predicted at this time. The Service has previously expressed its concern about the effects of increased exports on other endangered crocodilians found in international trade. International trade in alligator products is presently subject to the restrictions of CITES, the Service's implementing regulations (50 CFR Part 23) and general wildlife exportation requirements (50 CFR Part 14). Previous determinations by the Service's Scientific and Management

Authorities have concluded that export of alligators taken in Louisiana and Florida would not be detrimental to the survival of the alligator or other endangered crocodylians. The Service would continue to review any possible impact and would take appropriate action if evidence indicates that restrictions are warranted. This proposed action, if completed, would not be an irreversible commitment on the part of the Service. The action is reversible and relisting is possible if the status of the species changes or if States materially change their plans or actions in a way that may threaten the species. The Service would continue to monitor and review the States' management programs.

Public Comments Solicited

The Service intends that any final rule adopted be as accurate and effective as possible. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of this proposed rule and proposed amendments to the special rule are hereby solicited. Comments particularly are sought concerning:

- (1) Biological, commercial, or other relevant data concerning any threat (or lack thereof) to the American alligator; and
- (2) Additional information concerning the range and distribution of this species.

Final promulgation of regulations on the American alligator throughout the remainder of its range will take into consideration the comments and any additional information received by the Service, and such communications may lead to adoption of a final regulation that differs from this proposal.

The Endangered Species Act provides for a public hearing on this proposal, if requested. Requests must be filed within 45 days of the date of the proposal. Such requests should be made in writing and addressed to the Service's Jackson Endangered Species Field Station (see **ADDRESSES** section).

National Environmental Policy Act

The Fish and Wildlife Service has determined that an Environmental

Assessment, as defined by the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to Section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

References

The following documents were used in the preparation of this rule. These and other documents supplying background information, including all unpublished data, are on file at the Service's Jackson Endangered Species Field Station (see **ADDRESSES** section).

- Chabreck, R.H. 1980. Status of the American alligator in Baldwin and Mobile Counties, Alabama. Unpublished manuscript, Louisiana State University, Baton Rouge, 72 pp.
- Chabreck, R.H. 1984. Cooperative Surveys of the American Alligator in the Southeastern United States, 1974-1982. Unpublished data, Louisiana State University, Baton Rouge.
- Doerr, P. 1983. Status of the American Alligator in North Carolina. North Carolina State University, Raleigh, Project E-1, Study I. May 1978-Oct. 1983. 494 pp.
- Lewis, D. 1984. Night count summaries and alligator habitat for Mississippi. Unpublished Data, Mississippi Dept. of Wildlife Conservation, Jackson.
- Murphy, T.M. 1982. Size at Sexual Maturity of Male Alligators in South Carolina. South Carolina Wildlife and Marine Resources Department, Unpublished manuscript, 21 pp.
- Murphy, T.M., and J.W. Coker. 1983a. Night Spotlight Counts of Alligators in South Carolina. South Carolina Wildlife and Marine Resources Department, Unpublished manuscript, 35 pp.
- Murphy, T.M., and J.W. Coker. 1983b. American Alligator Population Studies In South Carolina. South Carolina Wildlife and Marine Resources Department Study Completion Reports, Unpublished manuscript, 115 pp.
- Murphy, T.M., and P.M. Wilkinson. 1982. American Alligator Investigation Management Recommendations and Current Research. South Carolina Wildlife and Marine Resources Dept., Unpublished manuscript, 90 pp.
- Ruckel, S. 1981a. Productivity of Alligators in Georgia. Final Report. Georgia Game and Fish Division, Project E-1, Study 17, 18 pp.
- Ruckel, S. 1981b. Distribution of Alligators in Georgia. Final Report. Georgia Game and Fish Division, Project E-1, Study 17, 6 pp.

- Ruckel, S. 1984a. Georgia alligator spotlight survey results, 1973-1984. Unpublished data, Georgia Game and Fish Division, Atlanta.
- Ruckel, S. 1984b. Estimated wetland acreage occupied by alligators in Georgia. Unpublished data, Georgia Game and Fish Division, Atlanta.
- Ruckel, S. 1984c. Characteristics of nuisance alligator complaints and nuisance alligators captured and relocated in Georgia, 1980-83. Unpublished manuscript, Georgia Game and Fish Division, Atlanta.
- Taylor, D., and W. Neal. 1984. Management implications of size-class frequency distributions in Louisiana alligators. *Wild Soc. Bull.* 12:312-319.
- Woodward, A.R., and W.B. Marion. 1978. A evaluation of factors affecting nightlight counts of alligators. *Proc. Ann. Conf. S.E. Assoc. Fish and Wildlife Agencies* 32:291-302.

Author

The primary author of this proposed rule is Mr. Wendell Neal of the Service Jackson Endangered Species Field Station (see **ADDRESSES** section).

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Proposed Regulation Promulgation

PART 17—[AMENDED]

Accordingly, it is hereby proposed to amend Part 17, Subchapter B of Chapter I, Title 50 of the Code of Federal Regulations, as set forth below:

1. The authority citation for Part 17 continues to read as follows:

Authority: Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411 (16 U.S.C. 1531 *et seq.*).

2. It is proposed to amend § 17.11(h) by revising listing of the American alligator under "Reptiles" in the List of Endangered and Threatened Wildlife as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
REPTILES							
Alligator, American	<i>Alligator mississippiensis</i>	Southeastern U.S.A.	Wherever found (in wild or captivity)	T(S/A)	1.11.20 47.51.50 113.134	NA	17.42(a)

3. Revise § 17.42(a)(1) definitions to read as follows:

§ 17.42 Special rules—reptiles.

(a) * * *

(1) *Definitions. For purposes of this paragraph (a):*

"American alligator" shall mean any member of the species *Alligator mississippiensis*, whether alive or dead, and any part, product, egg, or offspring thereof wherever found in captivity or the wild.

"Buyer" shall mean a person engaged in buying a raw, green, salted, crusted or otherwise untanned hide of an American alligator, its meat, meat products, and skeleton (including teeth, claws and skulls).

"Tanner" shall mean a person engaged in processing a raw, green, salted, or crusted hide of an American alligator into leather.

* * * * *

4. Revise § 17.42(a)(2)(i)(A)(4) to read as follows:

§ 17.42 Special rules—reptiles.

(a) * * *

(2) * * *

(i) * * *

(A) * * *

(4) Remove a specimen which constitutes a demonstrable but non-immediate threat to human safety. The taking must be done in a humane manner, and may involve killing or injuring only if it has not been reasonably possible to eliminate such threat by live-capturing and releasing the specimen unharmed in a remote area.

* * * * *

5. Revise § 17.42(a)(1)(iv)(A) to read as follows:

§ 17.42 Special rules—reptiles.

(a) * * *

(2) * * *

(iv) * * *

(A) A fully tanned hide which bears the noncorrodible, service-approved serially numbered tag attached by the

State where the taking occurs and a manufactured product of a lawfully taken American alligator may be delivered, received, carried, transported, or shipped in interstate or foreign commerce, by any means whatsoever and in the course of a commercial activity, and may be sold or offered for sale in interstate or foreign commerce.

6. Remove § 17.42(a)(3)(ii).

7. Redesignate § 17.42(a)(3)(iii) as § 17.42(a)(3)(ii).

8. In new § 17.42(a)(3)(ii), revise § 17.42(a)(3)(ii)(A)(2)(vi) to read as follows:

§ 17.42 Special rules—reptiles.

(a) * * *

(3) * * *

(ii) * * *

(A) * * *

(2) * * *

(vi) The location where inventories of American alligator hides, meat, meat products, skeletal parts (including claws, teeth, and skulls), and hides, meat, or skeletal parts of any other species of the Order Crocodylia will be stored, and

* * * * *

9. In new § 17.42(a)(3)(ii), revise § 17.42(a)(3)(ii)(A)(3) to read as follows:

§ 17.42 Special rules—reptiles.

(a) * * *

(3) * * *

(ii) * * *

(A) * * *

(3) A description, including samples, of the applicant's present or proposed system of inventory control and bookkeeping capable of insuring accurate accounting for the following items:

(i) All American alligator hides, meat, meat products, skeletal parts (including claws, teeth, and skulls), and

(ii) All hides, meat, meat products, skeletal parts (including claws, teeth, and skulls) of any other species of the Order Crocodylia;

* * * * *

10. In new § 17.42(a)(3)(ii), revise § 17.42(a)(3)(ii)(C)(1) and (a)(3)(ii)(C)(2) to read as follows:

§ 17.42 Special rules—reptiles.

(a) * * *

(3) * * *

(ii) * * *

(C) * * *

(1) A permittee may not buy American alligator hides, meat, meat products, skeletal parts (including claws, teeth, and skulls), process meat or skeletal parts, or tan any American alligator hide except one which was imported, exported, taken, sold, offered for sale, delivered, carried, transported, or shipped in accordance with paragraph (a)(2) of this section:

(2) A permittee may sell, offer for sale, deliver, carry, transport, or ship a raw, green, salted, or otherwise untanned American alligator hide or bulk American alligator meat, or unfinished skeletal parts (including claws, teeth, and skulls) only to a holder of a valid Federal permit issued under paragraph (a)(3)(ii) of this section;

* * * * *

11. In new § 17.42(a)(3)(ii), revise § 17.42(a)(3)(ii)(C)(5) and (a)(3)(ii)(C)(6) to read as follows:

§ 17.42 Special rules—reptiles.

(a) * * *

(3) * * *

(ii) * * *

(C) * * *

(5) A permittee must file a written report in English with the Director by March 31 of each year concerning all transactions during the preceding calendar year ending December 31 involving American alligators and other species of the Order Crocodylia listed as "Appendix I" in § 23.23 of this chapter. This report shall include the pounds of meat, the number of hides, parts (including skeletal parts of claws, teeth, and skulls), and products by species, the supplier's name and address, and the

country where taken from the wild, if known;

(6) A permittee may not transport or ship any American alligator hide unless legally tagged in accordance with § 17.42(a)(2)(i)(C), or transport or ship any American alligator meat, meat product, skeletal parts (including claws, teeth, and skulls) unless in compliance with the conditions of § 17.42(a)(2)(i)(C)(2) and (4);

Dated: May 6, 1986.

Susan Rocce,

Acting Assistant Secretary for Fish and Wildlife and Parks.

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BILLING CODE 4310-55-M