

Pursuant to Section 303 of the Cherokee Nation Administrative Procedures Act, Legislative Act #13-07, the Environmental Protection Commission is Seeking Public Comment on Possible Agency Action: A Natural Resources Proposal to Add Rivercane (*Arundinaria gigantean*) to the list of Culturally Protected Species.

The Environmental Protection Commission (hereinafter "EPC") is seeking public comment on a Natural Resources proposal to designate Rivercane as a Cherokee Nation Culturally Protected Species under Legislative Act #10-10 (itself an amendment to Legislative Act #36-06, the "Cherokee Nation Hunting and Fishing Code"). If designated a culturally protected species, the "take" of Rivercane from Indian country within Cherokee Nation tribal lands would be a criminal offense for Indians, with provision for permitted exceptions. Non-Indians would be subject to civil fines up to \$5000.00.

The public may make written comments on the possible listing of Rivercane as a Culturally Protected Species. Written comments must be received no later than 5:00 p.m. CDT on the 17th day of September, 2012, and may be submitted via U.S. Postal Service to Mr. Tom Elkins, EPC Administrator, P.O. Box 948, Tahlequah, OK 74465 or via email at [epc@cherokee.org](mailto:epc@cherokee.org). Members of the public wishing to provide verbal comments may do so at a public meeting on October 2, 2012, which will be held at 9:00 a.m. at the Cherokee Nation Environmental Programs Building, CNEP Conference Room, 208 E. Allen Road, Tahlequah, OK 74464. Anyone wishing to review the official rulemaking file and Legislative Act #10-10 may do so between the hours 8:00 a.m. – 5:00 p.m., Monday through Friday, at the Cherokee Nation Environmental Programs Building.

If the EPC makes no substantive amendments to the rule in response to public comment, then the proposed rule shall be final on October 2, 2012. If the EPC does make substantive amendments in response to public comment, then public participation shall again be required as if a new rule had been proposed.