§ 1613.2 Definition.

Criminal proceeding means the adversary judicial process prosecuted by a public officer and initiated by a formal complaint, information, or indictment charging a person with an offense denominated “criminal” by applicable law and punishable by death, imprisonment, or a jail sentence.

§ 1613.4 Authorized representation.

(a) Pursuant to a court appointment made under a statute or a court rule of equal applicability to all attorneys in the jurisdiction, if authorized by the recipient after a determination that acceptance of the appointment would not impair the recipient’s primary responsibility to provide legal assistance to eligible clients in civil matters.

§ 1613.5 Criminal representation in Indian tribal courts.

(a) Legal assistance may be provided with Corporation funds to a person charged with a criminal offense in an Indian tribal court who is otherwise eligible.

(b) Legal assistance may be provided in a criminal proceeding in an Indian tribal court pursuant to a court appointment only if the appointment is made under a statute or a court rule or practice of equal applicability to all attorneys in the jurisdiction, and is authorized by the recipient after a determination that acceptance of the appointment would not impair the recipient’s primary responsibility to provide legal assistance to eligible clients in civil matters.


Atitaya C. Rok,
Staff Attorney.
[FR Doc. 2013–26102 Filed 11–1–13; 8:45 am]

BILLING CODE 7050–01–P
from 4:00–5:00 p.m., a break, and a public hearing from 6:00–9:00 p.m.; and
• November 20, 2013, from 4:00–9:00 p.m., including an information session from 4:00–5:00 p.m., a break, and a public hearing from 6:00–9:00 p.m.; and
• November 21, 2013, from 4:00–9:00 p.m., including an information session from 4:00–5:00 p.m., a break, and a public hearing from 6:00–9:00 p.m. See the ADDRESSES section, below, for information on where these public informational sessions and public hearings will be held.

ADDRESSES:
Document availability: You may obtain copies of the January 11, 2013, proposed rules on the Internet at http://www.regulations.gov. This generally means that we will post any personal information you provide us (see the Public Comments section below for more information).

Public informational sessions and public hearings:
The November 19, 2013, public informational session and public hearing will be held at Western State Colorado University, University Center, 600 N. Adams Street in Gunnison, Colorado.
The November 20, 2013, public informational session and public hearing will be held at the Holiday Inn Express, 1391 S. Townsend Avenue in Montrose, Colorado.
The November 21, 2013, public informational session and public hearing will be held at Monticello High School Auditorium, 164 South 200 West in Monticello, Utah.

People needing reasonable accommodations in order to attend and participate in the public hearing should contact Patty Gelatt, Western Colorado Supervisor, Western Colorado Field Office, as soon as possible (see FOR FURTHER INFORMATION CONTACT).

For further information contact:

Supplementary Information:
Background

Previous Federal Actions
On January 11, 2013, we published a proposed rule to list the Gunnison sage-grouse as endangered (78 FR 2486) and a proposed rule to designate critical habitat for the Gunnison sage-grouse (78 FR 2540). We proposed to designate as critical habitat approximately 1,704,227 acres (689,675 hectares) in seven units located in Chaffee, Delta, Dolores, Gunnison, Hinsdale, Mesa, Montrose, Ouray, Saguache, and San Miguel Counties in Colorado, and in Grand and San Juan Counties in Utah. Those proposals initially had a 60-day comment period, ending March 12, 2013, but we extended the comment period by an additional 21 days, through April 2, 2013 (78 FR 15925, March 13, 2013). On July 19, 2013, we published a document announcing that we were extending the timeline for making final determinations on both proposed rules by 6 months due to scientific disagreement, and we reopened the public comment period to seek additional information to clarify the issues in question (78 FR 43123). In accordance with that July 19, 2013, publication, we will submit for publication in the Federal Register a final listing determination and a final critical habitat designation for Gunnison sage-grouse on or before March 31, 2014.

On September 19, 2013, we reopened the comment period on these proposals for 30 days, and announced the availability of a DEA, a draft EA, and an amended required determinations section for our proposal to designate critical habitat for the Gunnison sage-grouse (78 FR 57604). In that document, we also announced two public information sessions and public hearings to be held in Gunnison, Colorado, and Monticello, Utah, on October 7 and 8, 2013. However, due to a lapse in government appropriations from October 1–16, 2013, these meetings and hearings were postponed. Therefore, this document serves to reschedule those meetings and public hearings, add an additional meeting and public hearing, and reopen the public comment period.

Public Comments
We will accept written comments and information during this comment period on: (1) Our proposed listing determination for the Gunnison sage-grouse that published in the Federal Register on January 11, 2013 (78 FR 2486); (2) our proposed designation of critical habitat for the Gunnison sage-grouse that published in the Federal Register on January 11, 2013 (78 FR 2540); (3) our DEA of the proposed critical habitat designation, which was made available on September 19, 2013 (78 FR 57604); (4) our draft EA of the proposed critical habitat designation, which was made available on September 19, 2013 (78 FR 57604); (5) the amended required determinations provided in our September 19, 2013, Federal Register document (78 FR 57604) for the proposed critical habitat designation; and (6) the issues raised in our July 19, 2013, Federal Register publication (78 FR 43123) regarding scientific disagreement about the species. We will consider information and recommendations from all interested parties.

We request that you provide comments specifically on our listing determination under Docket No. FWS–R6–ES–2012–0108. We request that you provide comments specifically on the critical habitat determination and related DEA
Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition and Proposed Rule To Remove the Inyo California Towhee (Pipilo crissalis eremophilus = Melozone crissalis eremophilus) From the Federal List of Endangered and Threatened Wildlife

DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
50 CFR Part 17
RIN 1018–AY80

Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition and Proposed Rule To Remove the Inyo California Towhee (Pipilo crissalis eremophilus = Melozone crissalis eremophilus) From the Federal List of Endangered and Threatened Wildlife

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition finding; proposed rule; notice of availability of a draft post-delisting monitoring plan.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), propose to remove the Inyo California towhee (Pipilo crissalis eremophilus = Melozone crissalis eremophilus) from the Federal List of Endangered and Threatened Wildlife due to recovery. This action is based on a review of the best available scientific and commercial information, which indicates that the species is no longer threatened with extinction. This proposed rule, if made final, would also remove the currently designated critical habitat for the Inyo California towhee throughout its range. This document also constitutes our 12-month finding on a petition to remove the Inyo California towhee from the Federal List of Endangered and Threatened Wildlife. We are seeking information and comments from the public on this proposed rule and the post-delisting monitoring plan. The Inyo California towhee occurs only in Inyo County, California.

DATES: The finding announced in this document was made on November 4, 2013. We will accept comments received or postmarked on or before January 3, 2014. Please note that if you are using the Federal eRulemaking Portal (see ADDRESSES), the deadline for submitting an electronic comment is Eastern Standard Time on this date. We must receive requests for public hearings, in writing, at the address shown in the FOR FURTHER INFORMATION CONTACT section by December 19, 2013.

ADDRESSES: Comment submission: You may submit comments on the proposed rule and the post-delisting monitoring plan by one of the following methods:

(1) Electronically: Go to the Federal eRulemaking Portal: http://www.regulations.gov. In the Search box, enter FWS–R8–ES–2013–0113, which is the docket number for this rulemaking. You may submit a comment by clicking on “Comment Now!”

(2) By hard copy: Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–R8–ES–2013–0113; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042–PDM; Arlington, VA 22203.

We request that you send comments only by the methods described above. We will post all comments on http://www.regulations.gov. This generally means that we will post any personal information you provide us (see the Information Requested section below for more information).


FOR FURTHER INFORMATION CONTACT: Stephen P. Henry, Deputy Field Supervisor, Ventura Fish and Wildlife Office (see ADDRESSES), by telephone 805–644–1766; or by facsimile (fax) at 805–644–3958. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800–877–8339.

SUPPLEMENTARY INFORMATION:

Executive Summary
Purpose of Regulatory Action

In 2011, we received a petition from The Pacific Legal Foundation to remove from the Federal List of Endangered and Threatened Wildlife (delist) the Inyo California towhee based on the analysis and recommendations contained in our 2008 5-year status review of the species (Service 2008, p. 20). In 2012, we published a 90-day finding (77 FR 32932) that concluded that the petition presented substantial scientific or commercial information indicating that the petitioned action may be warranted and initiated a status review. After review of all available scientific and commercial information, we find that delisting the Inyo California towhee is warranted due to recovery and we propose to remove this taxon from the Federal List of Endangered and Threatened Wildlife. This document consists of: (1) A 12-month finding in response to a petition to remove the Inyo California towhee from the Federal List of Endangered and Threatened Wildlife; (2) a proposed rule to delist the Inyo California towhee; and (3) a notice of availability of a draft post-delisting monitoring plan.

Basis for Finding

Under the Endangered Species Act (Act), a species may be determined to be endangered or threatened because of any of five factors: (A) The present or threatened destruction, modification, or curtailment of its habitat or range; (B) overutilization for commercial, recreational, scientific, or educational purposes; (C) disease or predation; (D) the inadequacy of existing regulatory mechanisms; or (E) other natural or manmade factors affecting its continued existence. We must consider the same factors in delisting a species. We may delist a species if the best scientific and commercial data indicate the species is neither threatened nor endangered for one or more of the following reasons: (1) The species is extinct; (2) the species has recovered and is no longer threatened or endangered; or (3) the original scientific data used at the time the species was classified were in error.

Threats to the Inyo California towhee at the time of listing included grazing by feral equines, recreational activities (hiking, camping, hunting, and off-highway vehicle (OHV) use), water diversion, and mining. Potential threats identified since listing include energy development, invasive and nonnative plants, predation (including nest parasitism), and climate change. We consider the Inyo California towhee to be recovered because all substantial