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**From:** QuadState Local Governments Authority  
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**Subject:** [EXTERNAL] Support materials regarding briefing paper on tortoise from our April 18 meeting  
**Received:** 2018-04-23T15:30:03-04:00  
[Congressional Record 7-17-00 tortoise work0001.pdf](#)  
[Response to 2014 FOIA from USGS on CA plots.pdf](#)

Dear Ms. Skipwith--

Again, i wish to thank you for the visit we had last Wednesday. I appreciated very much the time you gave to me on the two subjects i brought to you.

Attached are backup documents for points I made regarding Mojave Population of desert tortoise. The first dates from 2000 and is colloquy regarding desert tortoise monitoring. The FWS was tasked to commence monitoring, and to include correlating the new data with the old data. Further, they were asked to measure efficacy of land management and mitigation measures.

The Service did finally commence a line-distance sampling inventory in 2001, but with field changes to the protocols, its quantification essentially dates from 2004. I commended them for establishing a consistent method of survey across the four states. The problem comes from the fact it is really at best yields a rough density number, and does not translate into an actual population estimate as the colloquy direction advise. FWS has never released an overall population number for the entire range, though they have made estimates for some specific areas as part of litigation input. Following the colloquy, it took until 2011 for FWS to issue a revised Recovery Plan for the Mojave Population.

A 2002 audit by GAO found similar deficiencies, including that at that time almost \$100 million had been spent on tortoise recovery with no progress to show, and efficacy was not being measured.

Despite the direction, the Service has yet to make any assessment of efficacy of mitigation and management measures. The line-distance sampling protocol counts tortoises in a strip but the persons doing the sampling make no quantitative assessment, -- efficacy determination -- of the habitat or changes that might have occurred over time. The most egregious of this oversight is assessing the removal of livestock from the range. At least 90% of the livestock permitted by BLM in the 1980s, cattle and sheep, has now been removed. FWS still recognizes livestock removal as mitigation, but makes no attempt at measuring its effect, and since livestock are gone, BLM makes no further effort at running range management surveys.

The last point is the direction to correlate, or integrate, the new data (line-distance sampling)

with the old data (the square mile or square kilometer plots). FWS has made no effort to do this, and in its random distribution of line-distance sampling strips, may not even run a strip though any of the plot areas.

In an attempt to secure a complete picture of the old data, QuadState did file an FOIA request with USGS in 2014. I could not find the original correspondence, but did find the letter that was returned by our attorney, David Ross, a partner of Steve Quarles, who transmitted a copy of the USGS letter. The cost given was \$271,680. I related that the cost was prohibitive for us to undertake and we dropped the matter. Four years later, USGS has yet to complete the analysis.

Again, thank you for the meeting. I appreciated our getting acquainted, and if you have any further questions on these or other matters we discussed, please don't hesitate to contact me.

Gerald Hillier

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