The 1990 listing of the desert tortoise, the critical habitat designation, and recommendations in the recovery plan for the tortoise were reasonable, given the information available at the time. Under the Endangered Species Act, listing and critical habitat decisions must be based on the best available scientific and commercial data. These decisions and the recovery plan recommendations were based on sources that reflected existing knowledge about desert tortoises.

To protect the tortoise, government agencies have restricted grazing and off-road vehicle use and taken other protective actions in desert tortoise habitat, but the effectiveness of these actions is unknown. Research is underway in several areas, including tortoise disease, predation, and nutrition, but the research has not assessed the effectiveness of the protective actions. Furthermore, the status of desert tortoise populations is unclear because data are unavailable to demonstrate population trends. Before the tortoise may be delisted, populations must increase or remain stable for at least 25 years—one generation of desert tortoises.

Determining the trends will cost an estimated $7.5 million in the first 5 years, plus additional monitoring every 3 to 5 years at a cost of about $1.5 million per year of monitoring. The Fish and Wildlife Service depends on other agencies and organizations to assist with funding and monitoring, but these agencies and organizations cannot guarantee assistance from year to year because of other priorities.

Expenditures on desert tortoise recovery since the species’ first listing in 1980 exceed $100 million, but the exact investment is unknown. The investment includes $92 million in “reasonably identifiable” expenditures for the tortoise, plus staff time valued at about $10.6 million. The overall economic impact of the tortoise recovery program—including benefits as well as the costs incurred by local governments, landowners, and developers as a result of restrictions—is unknown.