



# REPRESENTATIVE STANLEY T. MCGINNIS TORRES

HOUSE OF REPRESENTATIVES  
SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
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JGO COMMITTEE MEMBER

HSE. Comm. 16-113  
(HOUSE)

June 30, 2009

Sent Via Fax:  
503.231.6243

Mr. Patrick Sousa  
Chief  
Division of Endangered Species  
Region 1 – Pacific  
US Fish & Wildlife  
911 N.E. 11th Avenue  
Portland, OR 97232-4181

Dear Mr. Sousa:

I write to ask your assistance in solving a problem here on Saipan Island that I believe you can help us with. There is an animal on the endangered species list that quite probably does not belong on it. The endangered designation, when applied to an animal commonly found can create severe hardships for the people living in its habitat.

Such is the case here on Saipan Island with the Nightingale Reed Warbler (*Acrocephalus luscini*). This bird is found abundantly in nearly every part of our island. Not just in the wetlands but in the upland forests, beachside areas, in our residential and commercial neighborhoods they can be seen and heard in their thousands.

When originally placed on the endangered list back in 1970, the bird may well have been reduced in numbers but this supremely adaptable creature has made a huge comeback and it now plentiful. Its distinctive song can be heard just about everywhere on the island. Therein lies the problem. When a bird supposedly rare is found just about everywhere, the rules put in place to protect it instead cause great loss to the humans who share that habitat. Federal Capital Improvement Projects can't move forward, personal building projects get curtailed or halted altogether, Municipal improvements grind to a halt and tax generating commercial endeavors are mired in never ending red tape. Since the bird is numerous and is found most everywhere, its 'habitat' is everywhere and reasonable development cannot take place.

In this case the people and projects thus put upon are my constituents trying to improve their lot in life in my Legislative District and elsewhere on the island of Saipan. A prime

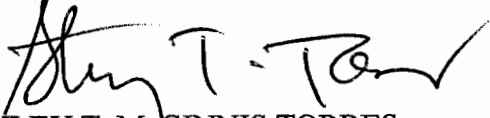
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example is the much delayed federally funded road project on the eastern side of Saipan. There are so many reed warblers over there that not a hundred feet of progress can be made without disturbing a nest or a feeding area. Offsetting truly rare arable land as proposed is simply not feasible on a small island like ours.

Surely the purpose of the Endangered Species Act is to protect rare animals not to unduly disrupt the lives of taxpaying citizens over the territory of a common, adaptable and abundant animal. That being the case I humbly ask that you have your staff perform a recount to determine the real numbers of the bird we Chamorros call *ga`ga`karisu*. I think you will find that we Chamorros are more endangered than the reed warblers are.

Thank you for your immediate attention to this important and pressing problem.

Sincerely,



STANLEY T. MCGINNIS TORRES

cc: Members, 16th Legislature  
Governor  
DLNR  
DFW