

Editorials are written by or approved by members of the Capital Press Editorial Board.

All other commentary pieces are the opinions of the authors but not necessarily this newspaper.

# Opinion

Editor & Publisher  
Joe Beach  
Managing Editor  
Carl Sampson  
opinions@capitalpress.com | CapitalPress.com/opinion

## Our View

# A bee is not a fish, except in California

We live in a time when we are regularly being told that we are not to believe what we see, but instead to believe what we are told about what we see. Up is down, down is up.

Still, we were nonetheless surprised a California appeals court has ruled that a bumble bee can be a fish as defined by the California Endangered Species Act. Then again, it is California.

In 2018, the Defenders of Wildlife, Xerces Society for Invertebrate Conservation and Center for Food Safety petitioned the California Fish and Game Commission to list four bumble bee species — the Crotch, Franklin's, Suckley cuckoo and Western bumble bees — for CESA protection.

However, there was a catch. The California law only protects “native

species or subspecies of a bird, mammal, fish, amphibian, reptile or plant.” Insects are notably missing from the list.

But, that's only if you read the plain text of the law. Don't believe what you see.

Section 45 of CESA defines a fish as a “wild fish, mollusk, crustacean, invertebrate, amphibian or part, spawn or ovum of any of those animals.” The environmental groups argued for a reinterpretation of the code where the word “invertebrate” includes all invertebrates whether on land or in the water.

The California Fish and Game Commission responded by voting to begin the listing process in 2019 but was sued by seven agricultural groups, including the Almond Alliance of California and



A California fish?

the California Farm Bureau Federation.

The California Superior Court ruled in favor of the farm groups in 2020, but last month the California 3rd District Court of Appeals reversed the decision, allowing bumble bees to be classified as fish.

“Although the term fish is colloquially and commonly understood to refer to aquatic species, the term of art employed by the Legislature in the definition of fish in section 45 is not so limited,” 3rd district California Court of Appeals Associate Justice Ronald Robie wrote for the three-judge panel. “...Accordingly, a terrestrial invertebrate, like each of the four bumble bee species, may be listed as an endangered or threatened species under the Act.”

A fish is whatever we say it is.

We think the court is mistaken and has given short shrift to the clear lan-

guage California legislators used to define “fish.” In 1970, when the act became law, a fish was a fish, and a bee was a bee.

When lawmakers repealed the act and replaced it in 1984, and amended it several times over the years, it did nothing that broadened the definition of fish to include insects, or provide specific protection to insects. The court acknowledges its position requires a liberal interpretation.

No kidding.

Bees and other insects could conceivably need protection. The legislature is free to add, in equally clear language, a definition of “insect” and extend potential protection.

The issue before the court was whether the act, as written, provided the basis for that protection. It did not.

## Our View



Getty Images

The spillway at Lower Monumental Dam in Washington on the Snake River.

# The political thought process and the Snake River dams

When Washington Gov. Jay Inslee and U.S. Sen. Patty Murray commissioned a “study” of tearing down the four dams on the lower Snake River, we saw it as little more than another political sales pitch.

The main goal would be to come up with a cost lower than the \$33.5 billion estimated by Rep. Mike Simpson, R-Idaho. The apparent reasoning was that is an obscene amount of money to spend on not much, but that a smaller number would in some way be less obscene.

Such is the political thought process.

Now that the draft version of the study has been released, it appears that analysis was correct. The consultants hired to write the study came up with lower costs — mainly by leaving things out.

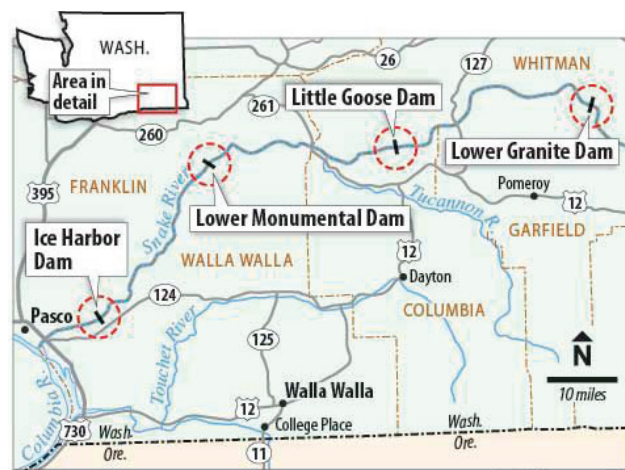
The study wasn't really much. It was based on information already readily available. One might more accurately describe it as a Reader's Digest version of studies by others, including Simpson and an assortment of federal agencies.

As such, there's not much to say about it, except for the parts that are left out to reduce the costs. Simpson's wild guess of \$34 billion is magically reduced to \$10 billion to \$27 billion. One supposes that if more items were left off the project list, the pricetag would get even smaller.

Brief attention is paid to the fact that blowing up those dams would be the equivalent of taking a wrecking ball to the region's economy. For example, those dams produce an average of 1,000 megawatts — enough electricity to power all the households in Seattle, Portland, Spokane and Boise. That electricity cannot be replaced by a couple of solar farms and a windmill. And considering the big push to buy electric cars, more generation capacity, not less, is needed in the Northwest and elsewhere.

Suddenly, barge traffic on Snake River would be truncated, forcing farmers and others shipping their crops from Washington, Idaho and points east to export ports along the Columbia River to use more trucks and railroads.

That won't be cheap. Diesel fuel is over \$6 a gallon and heading north, railroads and trucking companies are short-handed and the reliability of mainline railroads is as bad as it's ever been.



Capital Press graphic

Anyone even suggesting that it would be OK to trade reliable and efficient barge traffic for trucks and railroads is fantasizing. But again, isn't fantasy an appropriate word to describe a plan to damage a region's economy for fish? And apparently the fish are already doing all right. Fish passage rates at the dams are well over 90%, according to U.S. Rep. Dan Newhouse, who opposes wrecking the dams

There is a reality check in the study — one that has always existed for those who have targeted Northwest dams. Inslee and Murray do not own those four Snake River dams. The American people do. They pay trillions of dollars in taxes to the federal government every year with the expectation that the money will be spent wisely.

It is unfortunate that “wisely” is not the way many people would describe federal overspending. Last year alone, the federal government spent \$6.82 trillion and took in \$4.05 trillion in revenue. The overall federal deficit is \$30.5 trillion — and counting.

The result, as anyone who has bought groceries, fuel — or almost anything else — can testify, is high inflation that robs everyone.

With this scenario in mind, Washington's governor and one of its U.S. senators have a lot of gall to even give lip service to spending tens of billions of borrowed dollars to put a torch to a major part of their own state's economy and then borrow more money to try to put it back together.

That is another part left out of the study.

# Dams are critical for reliable energy grid in Northwest

“Isolated interruptions in electric service can have catastrophic health and economic consequences. A robust and reliable electric power system is therefore not only a basic human necessity but is also critical to national security and defense.”

It is not often that I agree with President Biden, but his words declaring an electricity emergency ring true to all of us in the Pacific Northwest and across the United States. Americans are facing record-high energy costs due to a Green New Deal agenda, and our nation's electric grid is at risk. Fortunately for our region, we have an example of reliable, clean, and renewable energy right here: The Federal Columbia River Power System.

Last week, I was proud to lead a delegation of Congressional Western Caucus Members from across the United States on a tour of the Columbia and Snake Rivers, as well as the Ice Harbor Dam. We learned about the benefits the dam system provides for Central Washington, our region, and the nation. In addition to the incredibly important role the dams play for our state's economy and agriculture industry, we learned about the generating capacity the dams along these powerful rivers have to provide clean, renewable, and affordable energy for our homes and businesses.

In Central Washington, we enjoy some of the lowest electricity costs in the country — even as the Biden administration's actions result in grid insecurities and rising gas prices. The dams along the Columbia and Snake rivers have contributed greatly to the stability of our region's electric grid, which ensures that Washingtonians enjoy a stable and abundant supply of affordable power. We even send excess power to states like California, whose leadership has already dismantled baseload energy resources in exchange for unreliable intermittent sources like wind and solar, causing communities to experience energy shortages and “brown outs.”

Unfortunately, dam-breaching advocates — including Governor Inslee and Senator Murray — want to tear them out, arguing that in order to protect native salmon species, we must eliminate the Pacific Northwest's most reliable source of renewable power.

Their conclusion is false. As U.S. Army Corps scientists, Pacific Northwest National Laboratory

GUEST VIEW  
Rep. Dan Newhouse



researchers, and other local experts demonstrated during our tour last week, dams and fish can — and do — co-exist. Our dams have a 96-98% fish passage rate, and the technologies being deployed at Ice Harbor are serving as a model for hydropower dams all over the world. In fact, the latest comprehensive review of the dam system by federal scientists concluded that breaching the dams would do more harm than good for our region, and there is no scientific evidence that removal of the dams would improve salmon recovery.

This week, I introduced the Federal Columbia Power System Certainty Act to ensure that operations of the dam system along the Columbia and Snake Rivers are conducted in accordance with the best available science as they continue to provide the carbon-free, baseload energy our state and region depend on.

The impacts of this administration's failed energy policies have now, quite literally, resulted in the declaration of a national emergency, and if we are going to address our nation's electricity shortfalls, we must support and promote hydropower. That support must include the Columbia and Snake River dam system, which has the capacity to generate enough electricity to power every major city in the Pacific Northwest.

Hydroelectric dams play a critical role in the diverse energy portfolio we need to build a stable and resilient energy grid. And, as we saw firsthand on our field tour, Central Washington is embracing an all-of-the-above energy portfolio that benefits rural communities, agriculture producers, local economies, and — importantly — our environment.

I will continue to work in Congress, through my role as Chairman of the Western Caucus and as a Member of the Energy and Water Appropriations Subcommittee, and alongside the countless leaders and partners throughout our district to defend our dams and support a robust energy grid that will meet our nation's electricity needs.

Dan Newhouse represents Washington's 4th Congressional District and serves as Chairman of the Congressional Western Caucus.