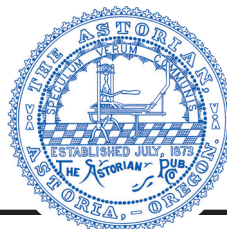


OPINION



the Astorian

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OUR VIEW

A bee is definitely not a fish

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 bumblebee 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 bumblebee species — the Crotch, Franklin's, Suckley cuckoo and Western bumblebees — for 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 the California Endangered Species Act 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.



Rich Hatfield/Xerces Society

A California fish?

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 the Califor-

nia Farm Bureau Federation.

The California Superior Court ruled in favor of the farm groups in 2020, but in May the California 3rd District Court of Appeals reversed the decision, allowing

bumblebees 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," Associate Justice Ronald Robie wrote for the three-judge panel. "... Accordingly, a terrestrial invertebrate, like each of the four bumblebee 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 language 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.

LETTERS TO THE EDITOR

The path forward

Americans are living in a tumultuous version of our country, with surprises coming from the courts each day. No one can tell what will be next.

Authoritarian movements always tell us what they will do. We must listen when they describe their war on individual rights and American democracy. After successfully enshrining guns and overturning reproductive rights, they are targeting contraception, LGBTQ+ identity, relationships and marriage; voting rights, school funding and free and fair elections. Recent weeks show us that what they can't win in Congress, they will take through the Supreme Court.

Despite claiming to be the party of small government, Republicans and their funders seek to impose a framework of authoritarian power in which governments exercise profound control over our lives. These actions not only shatter American norms, they also set a dangerous precedent.

Our choices are to do nothing or to resist. We must stop reactionary ideology and theology from destroying our country through a slow-motion dissolution of rights and freedoms. Democracy is on the ballot this year. Your vote will determine the survival or end of that ideal.

It is time for each of us to become pro-democracy activists. Please join and support pro-democracy groups and campaigns for candidates who share your values. Join get-out-the-vote campaigns hosted by PostcardsToVoters.org and Indivisible.org

If we don't save our democracy, who will? Who will speak for each of us if we remain silent?

MARY BETH COTTLE
Leadership team, Indivisible North
Coast Oregon, Cannon Beach

Find that balance

The decision to allow the first short-term rental to open for business in a residential coastal neighborhood in Clatsop County let the proverbial horse out of the barn, and this horse is not going back in the barn quietly, and likely not at all.

Fast forward, and county commissioners have come up with the purported solution to this earlier miscalculation — Ordinance 22-05. Problem solved; commissioners can now move on to other pressing agenda items.

Unfortunately, they may not like what they see in their rearview mirrors. A tsunami maybe headed their way, taking the form of a referendum to once and for all



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LETTERS WELCOME

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to other letter writers should address the issue at hand and should refer to the headline and date the letter was published. Discourse should be civil. Send via email to editor@dailyastorian.com, online at bit.ly/astorianletters, in person at 949 Exchange St. in Astoria or mail to Letters to the Editor, P.O. Box 210, Astoria, OR., 97103.

limit the unfettered proliferation of short-term rentals in the county's residential neighborhoods.

Angered citizens who believe their quality of life is being negatively impacted by short-term rental operations just might follow in the footsteps of their neighbors to the south.

The citizens of Lincoln County successfully overruled their county commissioners, who apparently ignored their concerns that short-term rentals negatively impact the quality of life.

The short-term rental issue will

continue to appear and reappear on the board's agenda for some time to come. They will need to find that balance between one's property rights and the overall quality of life in residential neighborhoods.

JIM AALBERG
Warrenton

Dehumanization is next

Regarding the Supreme Court's overturning Roe v. Wade:
Roe v. Wade guaranteed a right to pri-

vacy that extended to all people, not just women. That right has been revoked and it will affect everyone, even you. And when the court is coming for contraception next.

Men benefit from abortion just as much as women do. Men are the cause of all pregnancies.

Women are going to die because abortions happen in so many scenarios where otherwise a woman would die. And all of the girls and women forced to give birth (no matter by whom or by what means) will risk losing their lives from giving birth.

There are either human rights or there are no human rights. There is no parsing these rights out to certain people while denying them to others. Believing that to be true is what got us here in the first place.

This country is not even remotely prepared for what is going to happen as a result of this obscene decision. They are coming for the LGBTQ community next. After that, well, who knows? One thing is certain, no matter who you are, your dehumanization is next.

CHRISTINA BUCK
Seaside