

Not The Onion: California Supreme Court rules bumbles are fish — but justices say state species protection act is poorly worded

The state Supreme Court agreed [September 21] to allow dwindling species of bumblebees to be considered for protection as endangered species in California under a broad reading of a state law that protects fish.

California's endangered-species law, one of the nation's first when it was signed by then-Gov. Ronald Reagan in 1970, granted protections to any "bird, mammal, fish, amphibia or reptile" whose existence in the state was threatened, and included "invertebrates" in the definition of fish.

Follow the latest news and policy debates on sustainable agriculture, biomedicine, and other 'disruptive' innovations. Subscribe to our newsletter.

[SIGN UP](#)

The law has been rewritten since then, but a state appeals court [ruled in May](#) that it was flexible enough to allow the state Fish and Game Commission to consider protecting four imperiled species of bees under the category of "fish."

On [September 21], the state's high court denied review of an appeal by the farming groups, leaving the appellate ruling in place as a binding precedent for trial courts statewide. Four votes were needed to grant review on the seven-member court, but the only vote to hear the appeal was cast by Justice Patricia Guerrero, who has been chosen by Gov. Gavin Newsom to succeed the retiring Chief Justice Tani Cantil-Sakauye.

In an unusual action, three of the six justices who voted to reject the appeal, including Cantil-Sakauye, said the case suggests the law may need to be reworded.

[This] decision does not mean that bees are fish under California law, but only that the appeals court had reasons to conclude, based on the goals of the endangered-species law, that its wording "carries an unusual meaning, peculiar to that law."

[This is an excerpt. Read the original post here](#)