

In rural West, more worries about access to abortion

By **CLAIRE RUSH**
Associated Press

In Bend, the sole Planned Parenthood clinic serving the eastern half of the state is bracing for an influx of patients, particularly from neighboring Idaho, where a trigger law banning most abortions is expected to take effect this summer.

"We've already started hiring," said Joanna Dennis-Cook, the Bend Health Center manager.

Across the West, many abortion providers serving rural areas were already struggling to meet demand in a vast region where staffing shortages and long travel distances are barriers to reproductive services for women. Oregon alone is larger geographically than the entire United Kingdom.

Some facilities serving rural communities in states where abortion remains legal worry those preexisting challenges could be further compounded by the overturning of *Roe v. Wade*, as more patients travel from states where the procedure is banned or greatly restricted.

Anticipating an abortion ban in Idaho, Oregon lawmakers earlier this year created a \$15 million fund to increase access to abortion services.

Northwest Abortion Access Fund, a nonprofit that helps patients pay for travel and the procedure itself, has been tapped to receive the first \$1 million. The nonprofit has worked with the Bend clinic for 20 years, and they are collaborating to meet the needs of a growing number of patients.



Andrew Selsky/AP Photo

The Planned Parenthood clinic in Bend is bracing for an influx of patients, particularly from neighboring Idaho, where a trigger law banning most abortions is expected to take effect this summer following the overturning of *Roe v. Wade*.

Dennis-Cook said her clinic is providing additional training for staff and modifying schedules "to ensure that we can accommodate increases in patient numbers" as more people travel farther for care.

Before the U.S. Supreme Court overturned *Roe v. Wade*, 20% of U.S. women already had to travel at least 42 miles to reach the nearest abortion clinic, according to 2014 data analyzed by the Guttmacher Institute, a research group that sup-

ports abortion rights, which published its findings in *The Lancet Public Health*. Across much of eastern Oregon, that distance can jump to nearly 180 miles. As more states move to enact trigger bans on abortion, distances could increase further for many patients.

Dennis-Cook said the Bend Health Center has been seeing patients coming from as far away as Texas.

Bend's clinic has six exam rooms and receives about 600 visits per month.

As it is "on the smaller side," Dennis-Cook said it is limited in what it can provide.

"We only do first trimester procedures here," she explained. She added the clinic can't do procedures involving general anesthesia. "We don't have a plethora of nurses who can do that type of work to draw from," she said.

Smaller abortion clinics, particularly ones in rural areas, have historically grappled with shortages of staff and doctors who can per-

form the procedure. This in turn affects scheduling availability.

Amid growing demand for travel funds, the Northwest Abortion Access Fund has already exhausted its planned operating budgets for this year, according to Riley Keane, a practical support lead for the group.

"Last year, we gave away about \$1 million all told," Keane explained, referring to grants given to clinics to cover abortion costs and travel funds provided to

patients. She said this year the nonprofit is "on track to double that potentially."

Keane expects the \$1 million from Oregon's new abortion access fund will make "a huge difference" for the nonprofit, which normally relies on individual donors. She said this year marks the first time the group is receiving government money.

The nonprofit said it is concerned about providing travel funds to patients in states where abortion is banned or greatly restricted, but added it is working with legal professionals to assess the shifting landscape.

"They keep us up to date on things we need to be concerned about," Keane said.

In response to laws such as those passed in Texas allowing private individuals to sue abortion providers, the governors of Oregon, Washington state and California announced a joint commitment to protect patients and doctors "against judicial and local law enforcement cooperation with out-of-state investigations, inquiries and arrests."

The three Democratic governors also said they will refuse "extradition of individuals for criminal prosecution" for receiving or supporting abortion services that are legal in their states.

The Northwest Abortion Access Fund service region includes Oregon, Washington state Idaho and Alaska.

Keane said the nonprofit will continue its work for now. "Currently, our legal advisers haven't told us that we need to stop operating," she said.

Lawsuit seeks removal of Oregon ranch's private irrigation dam

By **MATEUSZ PERKOWSKI**
Capital Press

Operators of an Oregon ranch fear its irrigation supply is under threat from an Endangered Species Act lawsuit alleging its dam blocks upstream fish migration.

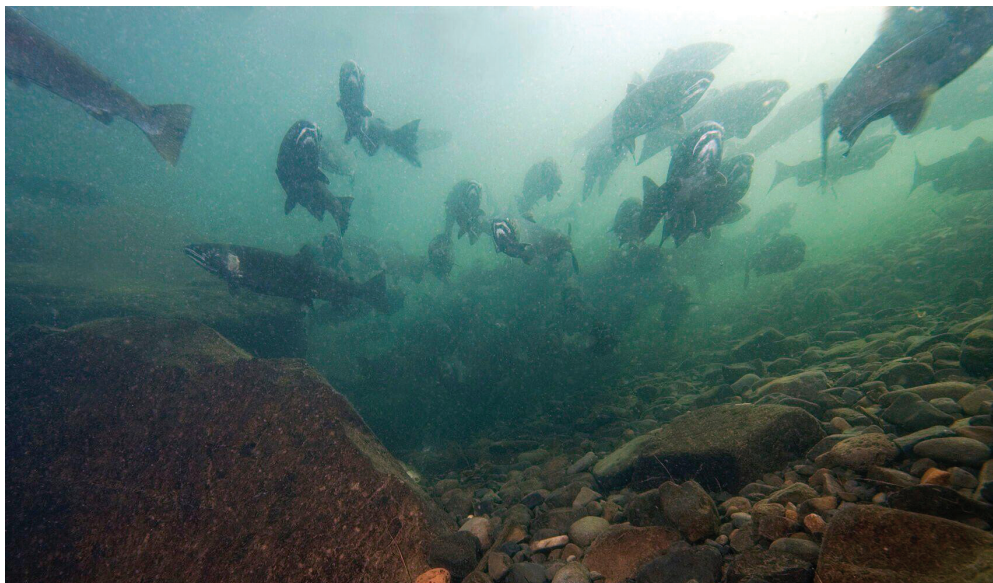
WaterWatch of Oregon, an environmental nonprofit, has filed a federal complaint accusing Q Bar X Ranch of unlawfully harming threatened salmon by operating its Pomeroy Dam near Kerby.

The lawsuit seeks an injunction requiring the ranch's owners to either remove the dam or install a fish passage that meets state and federal regulations.

"The Pomeroy Dam is a passage impediment and hazard for migrating adult and juvenile southern Oregon Coast coho on the Illinois River," the plaintiff claims.

All the ranch's irrigation water is drawn from the reservoir above the dam, which it primarily needs for grass hay, according to a member of the ranch family who refused to be named.

Losing that water would be "devastating" to the ranch, whose owners may



Rick Swart/Oregon Department of Fish and Wildlife

Coho salmon in an Oregon creek.

not find an alternative source of irrigation, he said. "We'll cross that bridge if we come to it," he said.

Pomeroy Dam has existed since the 1940s but its removal has recently become an objective for the environmental group, the family member said.

"They just really don't want to have any dams," he said. "I don't see the logic of it."

The Oregon Farm Bureau isn't directly involved in the lawsuit but is concerned the case may represent a new

litigation strategy for WaterWatch, said Mary Anne Cooper, the farm bureau's vice president of government affairs.

"I think this will be another tool in WaterWatch's toolbox," she said. "From a precedent standpoint, we will definitely be paying attention to the case."

The lawsuit may be a foreboding sign for other irrigators who rely on private water impoundments, Cooper said. "You can get hauled in and even if the lawsuit is baseless, you can

have to spend hundreds of thousands of dollars proving that," she said.

According to WaterWatch, the structure violates the Endangered Species Act's prohibition against "take" of protected fish. That includes killing them or harming them through "significant habitat modification."

"The passage impediment and dam hazards impede migration and spawning as well as causing direct harm to southern Oregon Coast coho," the complaint said.

Apart from preventing salmon from reaching about 100 miles of "high-quality spawning and rearing habitat," the dam has raised water temperatures to their detriment, the complaint said.

The dam has created "pool conditions" that increase predation on juvenile salmon, the complaint said. Meanwhile, "inadequate screening" of the irrigation diversion causes adult fish to get stranded and die in irrigation canals and ditches.

Upstream fish passage past Pomeroy Dam is a top priority for state wildlife regulators, but the ranch owners have rejected the plaintiff's offer to remove the barrier for no charge, according to the lawsuit.

"WaterWatch's experience with reaching out to defendants causes WaterWatch to be concerned that defendants will refuse and fail to respond to this complaint and/or to any order of this court to remove or fix the Pomeroy Dam," the plaintiff said.

If the ranch owners don't fix the impediment themselves, the environmental group wants a court order allowing its representatives

to access the property and remove the dam.

"WaterWatch has extensive experience with obtaining funding and working with expert contractors on dam removal throughout Oregon," the complaint said.

The lawsuit also seeks compensation for the nonprofit's litigation expenses.

Traditionally, WaterWatch has focused on disputes over water rights and other aspects of state water law, Cooper said.

The challenge to Pomeroy Dam's legality was filed in federal court, which may indicate the organization is turning toward Endangered Species Act claims, she said. Several years ago, the group also partnered with the Earthjustice nonprofit law firm in an irrigation-related lawsuit over the Oregon spotted frog.

The lawsuit against Q Bar X ranch is also noteworthy because it's filed against a private landowner, rather than an irrigation project with a federal nexus, Cooper said.

"It's much less common to see a direct take allegation against a private diversion," she said. "It's not totally unprecedented but it is uncommon."

SEVEN-DAY FORECAST FOR ASTORIA

| TODAY | FRIDAY | SATURDAY | SUNDAY | MONDAY | TUESDAY | WEDNESDAY |
|--------------|---------------|--------------|------------------------|----------------|-------------------|---------------------|
| | | | | | | |
| 68 56 | 69 55 | 69 57 | 71 56 | 73 58 | 73 58 | 70 56 |
| Partly sunny | Rather cloudy | Partly sunny | Pleasant with some sun | Sunny and nice | Abundant sunshine | Variable cloudiness |

ALMANAC

Astoria through Tuesday

Temperatures

High/low 67/51
Normal high/low 67/53
Record high 93 in 1908
Record low 43 in 1932

Precipitation

Tuesday 0.01"
Month to date 0.01"
Normal month to date 0.18"
Year to date 42.58"
Normal year to date 37.35"

Forecasts and graphics provided by **AccuWeather, Inc.** ©2022

UNDER THE SKY

Tonight's Sky: First quarter moon.

Source: Jim Todd, OMSI

SUN AND MOON

Sunrise today 5:32 a.m.
Sunset tonight 9:09 p.m.
Moonrise today 2:23 p.m.
Moonset today 1:06 a.m.

First Full Last New
July 6 July 13 July 20 July 28

TODAY'S TIDES

| Astoria / Port Docks | Time | High (ft.) | Time | Low (ft.) |
|----------------------------|------|------------|------|-----------|
| 7:42 a.m. | 5.5 | 2:00 a.m. | 1.9 | |
| 8:11 p.m. | 7.5 | 1:42 p.m. | 1.4 | |
| Cape Disappointment | | | | |
| 7:17 a.m. | 5.3 | 1:26 a.m. | 2.1 | |
| 7:57 p.m. | 7.4 | 1:03 p.m. | 1.6 | |
| Hammond | | | | |
| 7:31 a.m. | 5.7 | 1:42 a.m. | 2.1 | |
| 8:08 p.m. | 7.7 | 1:23 p.m. | 1.6 | |
| Warrenton | | | | |
| 7:37 a.m. | 5.9 | 1:44 a.m. | 2.0 | |
| 8:06 p.m. | 7.9 | 1:26 p.m. | 1.5 | |
| Knappa | | | | |
| 8:19 a.m. | 5.8 | 3:01 a.m. | 1.6 | |
| 8:48 p.m. | 7.8 | 2:43 p.m. | 1.2 | |
| Depoe Bay | | | | |
| 6:32 a.m. | 5.3 | 12:56 a.m. | 2.1 | |
| 7:11 p.m. | 7.5 | 12:26 p.m. | 1.5 | |

NATIONAL CITIES

| City | Today Hi/Lo/W | Fri. Hi/Lo/W |
|---------------|---------------|--------------|
| Atlanta | 92/77/t | 93/77/t |
| Boston | 79/65/s | 81/66/c |
| Chicago | 82/68/t | 80/64/t |
| Dallas | 103/83/pc | 105/83/s |
| Denver | 84/61/pc | 94/66/pc |
| Honolulu | 87/75/s | 87/75/s |
| Houston | 98/78/s | 100/80/s |
| Los Angeles | 82/63/s | 84/62/s |
| Miami | 90/80/t | 90/79/t |
| New York City | 82/69/pc | 82/70/t |
| Phoenix | 107/85/pc | 110/87/s |
| San Francisco | 70/58/pc | 72/56/s |
| Wash., DC | 83/74/t | 85/72/t |

Weather (W): s-sunny, pc-partly cloudy, c-cloudy, sh-showers, t-thunderstorms, r-rain, sf-snow flurries, sn-snow, l-ice.

REGIONAL FORECAST

Shown is today's weather. Temperatures are today's highs and tonight's lows.

| City | Today Hi/Lo/W | Fri. Hi/Lo/W | City | Today Hi/Lo/W | Fri. Hi/Lo/W |
|------------|---------------|--------------|-------------|---------------|--------------|
| Baker City | 83/52/s | 82/50/s | North Bend | 66/55/c | 66/54/pc |
| Brookings | 62/53/c | 63/55/pc | Roseburg | 79/57/c | 82/56/pc |
| Ilwaco | 67/56/pc | 69/57/c | Seaside | 69/55/pc | 71/55/c |
| Newberg | 76/57/pc | 81/55/pc | Springfield | 78/55/c | 82/53/pc |
| Newport | 63/54/pc | 63/52/pc | Vancouver | 77/58/pc | 79/58/pc |