

## Tribes as Trustees Again

**Indian tribes want to protect what's left of their aboriginal lands and resources. Natural resources law expert sees hope in the emerging conservation trust movement.**

Law professor Mary Wood will lead a workshop for tribal leaders, government officials and land trust officials on that topic on Friday, April 6.

"Although Indian tribes did not describe their laws in western legal terms, they adhered to a trust concept of maintaining their land and its resources as a constant natural asset that would be available to people forever," Wood said.

Now the federal government and private parties own almost all of those lands, and the loss has been staggering: Pollution, wildlife extinction, wetland destruction, deforestation, urbanization.

The first generation of natural resources law, based on statutes and regulations, did not stop the hemorrhage of natural systems, Wood said.

But new tools such as conservation easements and land trusts show promise.

In Alaska, a conservation land trust protects the Copper River fishery that provides subsistence and commercial fishing for Alaska natives.

In southern Oregon, the Klamath Tribe purchased a conservation easement across a privately owned ranch that provides crucial water rights for treaty harvested salmon.

In McCall, Idaho, the Nez Perce Tribe and the State of Idaho gained a conservation easement on private land at Bergdorf Meadows to protect salmon habitat.

"Tribes have enormous opportunities to protect their aboriginal lands and resources through the new field of conservation trust law." Wood said.



Meadows Valley, Idaho

Wood was named a Knight Professor of Law this year for her cutting-edge scholarship on natural resources law, Indian law and the trust doctrine. She is also a Wayne Morse Center resident scholar.