

UNIVERSITY OF OREGON SCHOOL OF LAW
ENVIRONMENTAL AND NATURAL RESOURCES LAW PROGRAM

The Conservation Trust Project

*Focusing on public trust theory and private property tools to achieve
landscape conservation.*

Professors Richard Hildreth, Susan N. Gary, and Mary C. Wood, Faculty Leaders.

Summary Sheet

Conferences and Events

- *28th Annual Public Interest Environmental Law Conference: Recover-Renew-Reimagine*, University of Oregon School of Law, February 25-29, 2010. Panels: Research Highlights from the Oregon Law Bowerman Fellows: Restrictive Covenants, Instream Flows, and Atmospheric Trust Litigation; Conservation Easements and Climate Change; The Public Trust: 1,500 Years Old and Still Kicking; If You Aren't at the Table, You are on the Menu: The Rule of Intervention in Environmental Litigation.
- *27th Annual Public Interest Environmental Law Conference: Solidarity! United Action for the Greener Good*, University of Oregon School of Law, February 26-March 1, 2009. Panels: Cultural Conservation Easements; Protecting Wildlife Corridors Across the West; Public Trust Doctrine: Pushing the Envelope; Common Law Theories for Protecting the Environment; The Trust Approach to Environmental Decision Making; Sustaining Oregon's Ocean: Oregon's Public Process to Establish a System of Marine Reserves and Protected Areas in State Waters.
- *26th Annual Public Interest Environmental Law Conference: Compelling a Climate of Change*, University of Oregon School of Law, March 6-9, 2008. Panels: Public Trust: Tapping the Potential of the Common Law Trust; Tribal Wilderness Land and Conservation Easements; Tribes as Trustees: The Emerging Role in the Global Conservation Trust Movement.
- *ENR Fireside Conversation Series: "Environmental Entrepreneurship,"* Susan Gary, Professor of Law, University of Oregon School of Law, February 27, 2008.
- *ENR Fireside Conversation Series: "Courts as Guardians of the Global Trust,"* Mary C. Wood, August 29, 2007.
- *Tribes as Trustees Again*, Workshop, University of Oregon School of Law, April 6, 2007.
- *25th Annual Public Interest Environmental Law Conference: Cultivating Corridors for the People*, University of Oregon School of Law, March 1-4, 2007. Panels: Emerging Issues in Conservation Easement Law and Practice; Steering a New Course: Protecting Water Resources with Conservation Easements and Water Quality Trading Credits; Conservation Easements and Land Preservation in the Age of Global Warming.
- *Spring 2007 Speaker:* Joe Moll (McKenzie River Trust), University of Oregon School of Law, February 6, 2007.
- *Fall 2006 Speaker:* Fritz Paulus (Oregon Water Trust), University of Oregon School of Law, November 14, 2006.
- *ENR Fireside Conversation Series: "The Three Threats to Private Property,"* Eric Freyfogle, September 13, 2006.

- *ENR Fireside Conversation Series: "Nature's Trust,"* Mary C. Wood, ENR Fireside Conversation Series, September 20, 2006.
- *24th Annual Public Interest Environmental Law Conference: Toward a Global Public Trust,* University of Oregon School of Law, March 2-5, 2006. Panels: Drafting Workable Conservation Easements: The Devil in the Details; Conservation Easements: What's Right? What's Wrong? What Needs to be Done?.
- *Conservation Law Workshop: Transactions in Land Conservation,"* Rebecca Hardesty, April 8, 2005.
- *23rd Annual Public Interest Environmental Law Conference: Living as if Nature Mattered,* University of Oregon School of Law, March 3-6, 2005. Panels: Land Trusts 101; Sustainable Land Use in Oregon; Land Trusts in the Pacific Northwest.
- *22nd Annual Public Interest Environmental Law Conference: Rousing the Restless Majority,* University of Oregon School of Law, March 6-9, 2004. Panels: Land Trust Mechanisms: A New Era in Property Law; Introduction to Land Trusts; Land Trusts in Work and Practice.

Scholarship

- Autumn T. Johnson, *"If You Aren't at the Table, You're on the Menu"¹: An Overview of the Rule of Intervention in Public Trust Litigation* (2010).
- Maureen McGee, *A Practitioner's Introduction to Atmospheric Trust Litigation: Understanding the Concept and Considering the Claims* (2010).
- Andrew Engel, *A Guide to Instream Water Protection in Oregon* (2010).
- Mary C. Wood, *Tribes as Trustees Again (Part I): The Emerging Tribal Role in the Conservation Trust Movement,* Harvard Environmental Law Review (with Zach Welker) 32 Harv. Envtl. L. Rev. 373, (2008).
- Mary C. Wood, *Tribes as Trustees Again (Part II): Evaluating Four Models of Tribal Participation in the Conservation Trust Movement,* Stanford Environmental Law Journal (with Matthew O'Brien) (2008).
- Alexander Wood, *A Property Tax Assessment Category for Conservation Easements in Oregon* (2007).
- Alexander Wood, *Fact Sheet: Current Federal Conservation Tax Incentives for Conservation Easement Donations* (2007).
- Mary C. Wood, *Land Trusts and Conservation Easements,* in "Natural Resources Law," Laitos et. al, (West 2006).
- Kathryn Moore, *Conservation Easement Stewardship: A Pilot Program for the Oregon Watershed Enhancement Board (OWEB),* M.S. terminal project, University of Oregon (2006).
- Kathryn Moore, *Conservation Easement Policy: A Critical Analysis of Tax Incentive Reform,* Comprehensive paper, University of Oregon (2006).
- Kimberly Muxlow, *Is the Concept of Perpetuity in Conservation Easements Relevant?: An Evaluation of Perpetual Restrictions on Privately Owned Land for Habitat Conservation with Conservation Easements,* M.S. thesis, University of Oregon (2004).
- Richard G. Hildreth, *Instream Flow Protection—Vain Hope or Possibility? in The Sinking Creek Decision: "Water Rights" in the 21st Century,* Lecture at the Water Resources Conference, Washington Law School Foundation, Olympia, WA (Jan. 28-29, 1994).

¹ Brent Newell, Legal Director, Center for Race, Poverty & the Env't, Luke Cole Commemoration at the Journal of Environmental Law & Litigation Symposium: Advocating for an Environment of Equality (Sept. 11, 2009), available at <http://www.law.uoregon.edu/org/jell/equality.php>.

- Richard G. Hildreth, Mara Brown, and Robert Shavelson, *Legal and Policy Analysis for Integrated Watershed Management, Cumulative Impacts, and Implementation of Non Point Source Controls*, in “A Watershed Assessment Primer,” *Appendix*, F. D. Euphrat and B. P. Warkentin, U.S. Environmental Protection Agency, Region 10 (1994).

Related Conferences and Events

- Professor Susan N. Gary attended. *2008 American College of Trust and Estate Counsel Fall Meeting*, Savannah, Georgia, October 23-27, 2008.
- Mary C. Wood, “Law and Climate Change: Government’s Atmospheric Trust Responsibility,” Keynote Address, Video-conference to University of Montana, (February 19, 2008).
- Mary C. Wood, “Natures Trust: A Legal Paradigm for Protecting Land and Resources for Future Generations,” Keynote Address, Oregon Bioneers Conference, Lane Community College, Eugene, Oregon (Oct. 20, 2006).
- Three Conservation Trust Fellows attended. *2006 Northwest Land Trust Conference: Coming Around the Bend: Seeking Sustainability, Excellence & Accreditation*, Bend, OR, April 6-8, 2006.
- Two Conservation Trust Fellows attended. *National Land Conservation Conference, Rally 2005: Protecting Land, Protecting Values*, Madison, WI, October 14-17, 2005.

Library

- Database of Land Trusts.
- Access to “LTAnet”, a database provided by the Land Trust Alliance. “LTAnet” provides access to land trust newsletters, Land Trust Alliance publications, publications and information from the National Land Conservation Conference, and other useful resources.

Fellows

- 2009-2010: Andy Engel, Maureen McGee, and Autumn T. Johnson.
- 2008-2009: Andy Engel and Maureen McGee.
- 2007-2008: Greg Reinert, Matthew Rykels, and Alexander Woods.
- 2006-2007: Ben Miler, Matthew Rykels, and Alexander Wood.
- 2005-2006: John Hall, Ben Miller and Kathryn Moore.
- 2004-2005: John Hall and Kathryn Moore.

Externships and Internships

- Payette Land Trust (2007): N/A.
- McKenzie River Trust Externship (2007): N/A.
- McKenzie River Trust Externship: Matthew Rykels, 2006.
- McKenzie River Trust Externship: William Dickens, 2004.